

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**CIVIL APPLICATION NO.2277 OF 2014
IN
FIRST APPEAL (ST) NO.5703 OF 2014**

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders.
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Mr.Sanjeev Krishnan i/b Ms.Harshada Rane for the applicant

Mr.K.D.Rajgopal for the respondent nos.1 to 3

CORAM : K.K.TATED, J.
DATED : 25/02/2015

PC:

- 1 Heard the learned counsel for the parties.
- 2 This application is preferred by original opponent no.2 Insurance Company for condonation of 118 days delay in filing the First Appeal challenging the judgment and award dated 26.3.2013 passed by MACT, Satara in MACP No.648 of 2010 awarding a sum of Rs.23,96,514/- with 6% interest p.a. by way of compensation to the respondents claimants.
- 3 The learned counsel for the applicant submits that as soon as the award passed by the Tribunal, papers were forwarded to the Head Office at

Kolkata to take appropriate decision for filing Appeal as the amount involved in the matter is on higher side. He submits that after the decision is taken by Kolkata Head Office, papers were forwarded to the Pune Regional Office at Pune to take steps for filing First Appeal. Hence, there is a delay in preferring the above mentioned First Appeal. He submits that they have good chance of success in the present matter. He submits that if the delay is not condoned, irreparable loss, harm and injury will be caused to the Applicant.

4 On the other hand, the learned counsel for the respondents claimants submits that they have no objection if delay is condoned.

5 Considering the submissions made by the learned counsel for the Applicant and the reasons disclosed in clause (B), (C) and (D) on page 3 of the Civil Application and as no objection is given by advocate for the claimant, I am satisfied that the Applicant has made out a case for allowing the present Civil Application. Hence, following order:

(A) Civil Application is allowed in terms of prayer clause (a) which reads thus:

“(a) That this Hon'ble High Court be pleased to condone delay of 118 days thereby admitting

the Appeal against the Award dated 26-19-2013 passed by The Learned Member, Satara in the Claim Petition bearing No.648 of 2010.

(B) Civil application stands disposed off accordingly.

(K.K.TATED, J.)