

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

**CIVIL APPLICATION NO.2306 OF 2012
IN
FIRST APPEAL (ST) NO.13847 OF 2012**

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.D.S.Joshi for the applicant

Mr.S.P.Thorat for the respondent no.2

**CORAM : K.K.TATED, J.
DATED : 18/03/2015**

PC:

- 1 Heard the learned counsel for the parties.
- 2 Though respondent no.1 is duly served, no one appeared on behalf of her when the matter was called out.
- 3 This application is preferred by Insurance Company for condonation of 165 days delay in filing First Appeal challenging the award dated 21.07.2011 passed by MACT, Pune below Exhibit 5 i.e. Application under section 140 of the Motor Vehicles Act in MACP No.750 of 2010.
- 4 The learned counsel for the respondent no.2 vehemently opposed the present Civil Application. He submits that applicant has not shown sufficient

cause for condonation of delay.

5 Considering the submissions made by the learned counsel for the Applicant and the averments made in the Application, I am satisfied that the Applicant has made out a case for allowing the present Civil Application. Hence, following order:

- a) Delay of 165 days delay in filing First Appeal is condoned.
- b) Civil application stands disposed off accordingly.

(K.K.TATED, J.)