

**FARAD CONTINUATION SHEET  
IN THE HIGH COURT OF JUDICATURE AT BOMBAY.  
CIVIL APPELLATE JURISDICTION.**

**CIVIL APPLICATION NO. 3018 OF 2013  
IN  
FIRST APPEAL (ST) NO. 16716 OF 2013**

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|-----------------------------------------------------------------------------------------------------------|---------------------------|
| 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. A.G. Toraskar for the applicant.

Mr. Akshay Patkar i/b Abhijit Desai for the respondent no.2.

**CORAM : K. K. TATED, J.**

**DATED : 26/03/2015.**

**PC.:**

. Heard learned Counsel for the applicant and learned counsel for the respondent no.2. Though the respondent no.1 is duly served, no one appeared on behalf of him when the matter called.

2 This application is preferred by claimant for condonation of 55 days delay in filing the First Appeal challenging the judgment and award dated 05.11.2012 passed by the MACT, Pune in Special Motor Accident Claims Petition no. 31 of 2005 dismissing the claims application under Section 163A of Motor Vehicle Act.

3 The learned counsel for the respondent

insurance company vehemently opposed the present Civil Application. He submits that applicant has not shown sufficient cause for condonation of delay, hence, Civil Application be dismissed with costs.

4 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.

5 Hence, the following order:

a) Delay of 55 days in filing First Appeal challenging the judgment and award dated 05.11.2012 passed by the M.A.C.T. Pune in Special Motor Accident Claim Petition no. 31 of 2005 is condoned.

b) Civil Application is disposed of accordingly.

**(K.K.TATED, J.)**