

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

CAF No.1386/2011 in F.A.St. No.7459/2011
United India Insurance Co.Ltd. Vs. Smt. Parbatibaiwd/o Anandrao Mendhe and
others.

Notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's
Orders.

Shri Dhanagare, Advocate for the applicant.
Shri Dharaskar, Advocate for the respondent no.7.
Shri Bhoyar, Advocate for respondent nos. 1 to 5.

CORAM : Z.A. HAQ, J
DATE : 5th January, 2015.

Heard Shri Dhanagare, the learned Advocate for the applicant, Shri Dharaskar, the learned Advocate for the respondent no.7 and Shri Bhoyar, the learned Advocate for the respondent nos. 1 to 5.

This is an application praying for condonation of delay of 763 days in filing the appeal. The explanation given by the applicant for the delay is in paragraph 2 of the application, which reads as follows:-

"The applicant submits that this appeal is being filed at a late stage and the same is delayed by 762 days however it is submitted that the applicant is a public body and as such has to undergo number of formalities till the matter of filing appeals before the Higher Court, it includes getting certified copy, to forward it to higher authority, to get sanction for filing appeal, etc. while observing this chain of formalities the delay is caused and same is bonafide, it would be just and proper to condone the delay and consider the appeal on its own merits".

The reason given by the applicant cannot be said to be “sufficient cause” or “sufficient explanation” on the basis of which the delay in filing the appeal can be condoned. The civil application is dismissed. Consequently, the appeal is also rejected. No costs.

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In view of the dismissal of the appeal, it is disposed of as infructuous.

JUDGE

Ambulkar