

IN THE HIGH COURT OF BOMBAY AT GOA

MISC.CIVIL APPLICATION NO. 657 OF 2015

IN

FIRST APPEAL NO. 25 OF 2010

NATIONAL INSURANCE CO. LTD.
THROUGH ITS DY. MANAGER.

... Applicant

Versus

JAIDEV KUNDAIKAR AND 2 ORS.,

... Respondents

Ms. Y. Mandrekar, Advocate for the Applicant.

Mr.J. Godinho, Advocate for the Respondent no. 1.

Coram:- K. L. WADANE, J.

Date:- 11th March, 2016

P.C.

Heard Ms. Y. Mandrekar, learned Counsel appearing for the Applicant.

2. This is an application for condonation of delay. The Respondent no.1 died on 19.04.2013 during the pendency of the present Appeal. The Applicant was not aware of the death of the Respondent no. 1 and that he came to know about the death of the Respondent no. 1 on 13.12.2014. The Applicant has explained the delay by filing additional affidavit in support of plea.

3. For the reasons stated in the Petition, the delay of 878 days caused in filing the Appeal is condoned as the Applicant was not

aware of the death of the Respondent no. 1. This could be a good ground to condone the application. Hence, the delay is condoned and the application is allowed.

4. The Applicant is allowed to carry out necessary amendment.

5. Application stands disposed of.

K. L. WADANE, J.

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