

IN THE HIGH COURT OF BOMBAY AT GOA

MISC.CIVIL APPLICATION NO. 812 OF 2016

IN

STAMP NUMBER MAIN NO. 3064 OF 2016

NATIONAL INSURANCE CO. LTD., THR.
ITS AUTHORISED OFFICER.,

... Applicant

Versus

MR. TUKARAM NARAYAN ZIKAMBADE AND
6 ORS.,

... Respondents

Ms. S. Kamat, Advocate for the Applicant.

Mr. Milton Marcel, Advocate for Respondent Nos. 1 to 5.

Coram:- C. V. BHADANG, J.

Date:- 16th December, 2016

P.C:

Heard the learned Counsel for the applicant and the learned Counsel for the respondent nos. 1 to 5. None appears for respondent nos. 6 and 7.

2. There is a delay of 117 days in filing the appeal. According to the applicant, the delay is caused on account of internal communication between the office at Ponda, the Divisional office at Vasco and the Regional office at Pune. It is submitted that second opinion for filing the appeal was obtained from an Advocate from Pune, on account of which, the delay has occurred.

3. It is submitted on behalf of respondent nos. 1 to 5 that similar grounds have been raised by the applicant in several other matters. There was no occasion for the appellant to obtain a second opinion.

4. The learned Counsel for the respondent nos. 1 to 5 does not dispute that similar explanation was accepted in Miscellaneous Civil Application No. 65/2016, where delay was condoned on the similar ground. Considering the overall circumstances and for the reasons stated in the application, the delay is condoned. Let the First Appeal be registered.

C. V. BHADANG, J.

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