

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

**CIVIL APPLICATION NO.118 OF 2016
IN
FIRST APPEAL (ST). NO.1024 OF 2016**

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.Rahul Mehta i/b M/s.KMC Legal Venture
for the applicant

Mr.Shahaji Shinde i/b Mr.S.L.Babar for the
respondent no.1

CORAM : K.K.TATED, J.
DATED : 14/01/2016

PC:

1 Not on board. At the request of Advocate for the applicant, matter is taken on board for urgent orders.

2 Heard the learned counsel for the parties.

3 The learned counsel for the applicant submits that respondent no.2 is a formal party.

4 Applicant may be permitted to dispense with service on respondent no.2. Same is permitted at the cost and consequences of applicant themselves.

5 This application is preferred by Insurance Company for condonation of 48 days delay in filing First Appeal challenging the judgment and

award dated 15.7.2015 passed by MACT, Satara in MACP No.99 of 2011.

6 The learned counsel for the respondent no.1 vehemently oppose the present Civil Application. He submits that applicant has not shown sufficient cause for condonation of delay. Hence, Civil Application is dismissed.

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

A) Civil Application is allowed in terms of prayer clause (a) which reads thus:

“(a) The delay in filing the Appeal of about 48 days be condoned.”

B) Civil Application is disposed of accordingly.

(K.K.TATED, J.)