

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

CIVIL APPLICATION NO.3001 OF 2014

IN

FIRST APPEAL (ST) NO.3215 OF 2014

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.M.M.Sathaye for the applicant

Mrs.Rina Kundu for the respondent no.1 and 2

CORAM : K.K.TATED, J.

DATED : 04/03/2016

PC:

- 1 Heard the learned counsel for the parties.
- 2 This application is preferred by Insurance Company for condonation of 47 days delay in filing First Appeal challenging the judgment and award dated 5.10.2013 passed by 4th Labour Court, Thane in Application (WCA) No.228/B-53-2009 holding that claimants are entitled sum of Rs.4,36,940/- by way of compensation.
- 3 Respondent no.3 is owner of the offending vehicle.
- 4 Considering the facts of the present matter, at present, it is not necessary to serve respondent no.3. The learned counsel for the respondent nos.1 and 2 original claimants submit that they have no objection if Civil Application is allowed.
- 5 Considering the submissions made by the

learned counsel for the applicant the averments made in Civil Application and as advocate for claimants have no objection, I am satisfied that the applicant has made out a case for allowing Civil Application. Hence, following order is passed:

- a) Delay of 47 days in filing the First Appeal challenging the judgment and award dated 5.10.2013 passed by 4th Labour Court, Thane in Application (WCA) No.228/B-53-2009 is condoned.
- b) Civil Application is disposed of accordingly.

JUDGE