

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

Amk

**CIVIL APPLICATION NO. 1947 OF 2016
IN
FIRST APPEAL (STAMP) NO. 3756 OF 2016**

Reliance General Insurance Co. Ltd.	.. Appellant
Vs.	
Mr. Ramdhari Sitaram Yadav & Anr.	.. Respondents

Ms. Deepika Motagi i/b Res Juris for the Appellant.
Mr. Yogendra Pendse for Respondent No.1.

CORAM : DR. SHALINI PHANSALKAR-JOSHI, J.
DATE : 19th SEPTEMBER, 2016.

P. C. :

1. This is an application for condonation of delay of 101 days in preferring the First Appeal challenging the Judgment and Award dated 11.06.2015 passed by the M.A.C.T., Thane in M.A.C.P. No. 884 of 2009.
2. As per learned counsel for the respondent, the reasons given in the application are usual reasons like the time consumed in seeking permission, sanction etc. No particulars or details are given for the same.
3. Considering that, this is the First Appeal, which is the statutory right given to the appellant, taking the most liberal view of the matter, the delay needs to be condoned but not without the payment of costs of Rs.5,000/- by the applicant to the claimants. The application is

accordingly allowed subject to payment of the stipulated costs within the period of two weeks from today.

3. On failure of the applicant to pay the costs within the stipulated time, the application would stand automatically dismissed without further reference to this Court.

4. The Civil Application is disposed of accordingly.

[DR. SHALINI PHANSALKAR-JOSHI, J.]