

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO.3111 OF 2003
IN
FIRST APPEAL [STAMP] NO.588 OF 2003

The Oriental Insurance Co. Ltd. Applicant

Vs.

Smt. Mangal Ramesh Subkade
& Others

.... Respondents

Mr. J.S. Chandnani for the Applicant.

Mr. Balasaheb Deshmukh for Respondent Nos.1 to 3.

CORAM: MRS. MRIDULA BHATKAR, J.

DATE : FEBRUARY 24, 2016

P.C:

1. This application for condonation of delay of three days in filing the Appeal is pending since 2003.

2. The Appeal by the Insurance Company challenges Judgment and Award dated 23-7-2002 for giving compensation of Rs.2,38,000/- to the claimants for the death claim of the husband of original claimant No.1 and the father of two minor children and mother of the deceased. It appears that the Insurance Company is not interested in proceeding with the Appeal. However, to give a fair opportunity, this application will

be called out in the second session and if none appears for the Insurance Company, it will be dismissed.

3:00 P.M.

3. Learned counsel Mr. J.S. Chandnani appears for the Insurance Company and prays that the application for condonation of delay may be allowed. The Appeal is pending since last about 13 years because of non-removal of office objections and there is a delay of only three days. Considering the time gap, it is necessary to hear the Appeal finally at the stage of its admission itself. Hence, I condone the delay. The Appeal be registered.

4. The application accordingly stands disposed of.

(MRIDULA BHATKAR, J.)