

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

Amk

**CIVIL APPLICATION NO. 2602 OF 2015
IN
FIRST APPEAL (STAMP) NO. 16213 OF 2013**

The New India Assurance Co. Ltd. .. Appellant/Applicant
Vs.
Master Ronak Sunil Barman & Ors. .. Respondents

Mr. S. S. Dwivedi for the Appellant/Applicant.
Mr. A. M. Gokhale for Respondent No.2.

CORAM : DR. SHALINI PHANSALKAR-JOSHI, J.
DATE : 26th SEPTEMBER, 2016.

P. C. :

1. Heard learned counsel for both the parties.
2. This is an application seeking condonation of delay of 23 days in preferring the First Appeal challenging the Judgment and Award dated 31.10.2014 passed by the M.A.C.T., Pune in M.A.C.P. No. 547/2009.
3. Though, the learned counsel for respondent No.2 takes objection to condone the delay, for the reasons stated in paragraph No.7 of the Civil Application, that the Advocate for the applicant was not keeping well hence could not attend the office and draft the appeal in time, the sufficient cause being made out for condonation of delay of 23 days, it is allowed in terms of prayer clause (a) in the interest of justice with no order as to costs, taking a liberal view of the matter.

4. The Civil Application is disposed of accordingly.
5. Office is directed to register and number the First Appeal and place it for final hearing at the stage of admission itself on 15.10.2016.
6. Accordingly, with consent of learned counsel for both the parties, Civil Application No. 371 of 2016 for withdrawal of the amount is also kept for final hearing along the First Appeal.
7. Learned counsel for respondent No.2 undertakes to file compilation of documents/private paper book within two years.

[DR. SHALINI PHANSALKAR-JOSHI, J.]