

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.3412 OF 2015
with
CIVIL APPLICATION NO.3413 OF 2015
IN
FIRST APPEAL st. NO.26120 OF 2015

M/s.Oriental Insurance Co. Ltd. ... Applicant

Vs.

Smt.Gayatri Devi Hridayanarayan Dubey ... Respondent

Ms.Rupam Ghosh for the Applicant
Mr.U.S. Pandey for Respondent

CORAM: **MRS.MRIDULA BHATKAR, J.**

DATE: **10th FEBRUARY, 2016**

P.C.:

1. Leave to amend the appeal memo in respect of the caption title and the names of the parties.
2. The application is moved for condonation of delay of 107 days in filing the appeal. The learned Counsel for the applicant submits that the delay is caused due to some administrative reasons so also due to communication problem between the learned Counsel and the administrative staff of the insurance company. She submitted that the papers of this matter were shifted from Thane office to Mumbai office and time was also taken for appointment of the advocate and also for seeking necessary opinion. Hence, there is a delay of 107 days.

3. Learned Counsel for the respondents/original claimant opposes this application on the ground that the appeal is not maintainable.
4. In view of the submissions of the learned Counsel for the parties and for the reasons mentioned in the Civil Application, it is allowed. Delay is condoned. Appeal be registered and listed for admission after four weeks. Interim relief, if any, to continue till then.
5. Civil Application stands disposed of accordingly.

(MRIDULA BHATKAR, J.)