

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

**CIVIL APPLICATION NO. 524 OF 2013
IN
FIRST APPEAL (ST.) NO. 36208 OF 2012**

The New India Assurance Co. Ltd. ... Applicant
V/s.
Smr. Rakhiben Velji Vaid & Ors. ... Respondents

Mr. D. R. Mahadik for the applicant.
None for the respondents.

**CORAM : K. K. TATED, J.
DATED : 08/01/2016**

PC.:

- . Heard learned Counsel for the applicant.
- 2 Though the respondents are duly served, no one appeared on behalf of them, when the matter called out.
- 3 Office note shows that Civil Application stands dismissed against Respondent No.4 Shri. Ratansi Rajiv Vaid.
- 4 This civil application is preferred by original insurer for condonation of 87 days delay in filing First Appeal challenging the Judgment and Award dated 26.06.2012 passed by the Motor Accident Claims Tribunal, Mumbai in Application No. 185 of 2005.
- 5 Considering the submissions made by learned counsel for the applicant and averments made in civil application, I am satisfied that

applicant has made out the case for allowing the civil application.

6 Hence, following order.

a) Delay of 87 days in filing First Appeal challenging the Judgment and Award dated 26.06.2012 passed by Motor Accident Claims Tribunal, Mumbai in Application No. 185 of 2005, is condoned.

b) Office is directed to make appropriate noting in cause title of First Appeal that First Appeal stands rejected against Respondent No.4 Shri. Ratansi Rajiv Vaid.

c) Civil Application stands disposed of accordingly.

(K.K.TATED, J.)