

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO.319 OF 2016
IN
FIRST APPEAL ST NO.35592 OF 2015**

United India Insurance Co. Ltd.

..Applicant

Vs.

Namdeo Kaluram Dhotre & Ors.

..Respondents

Mr. Amol Gatne for the for the Applicant

Mr. S. T. Bhosale for the Respondent Nos.1 & 2

CORAM : R. M. SAVANT, J.

DATE : 10th JUNE, 2016

P.C.

1 At the outset, the Learned Counsel for the Applicant states that there is no relief claimed against the Respondent No.3. In view thereof the notice to the Respondent No.3 is obviated.

2 The above Civil Application has been filed seeking condonation of delay of 144 days in filing the above First Appeal. The reasons for the delay are mentioned in paragraphs 2, 3 & 4 of the above Civil Application. The sum and substance of the reasons is that on account of administrative reasons that the above First Appeal could not be filed in time. The above Civil Application is opposed to on behalf of the Respondent Nos.1 & 2 i.e. the Claimants by filing an Affidavit in reply and the reasons are sought to be questioned. In my view, having regard to the reasons mentioned in the above Civil Application the

same can be said to be the plausible reasons for the delay of 144 days in filing the above First Appeal. In my view case for exercise of discretion is made out. The Civil Application is accordingly allowed, resultantly the delay of 144 days in filing the above First Appeal stands condoned. The Applicant to pay costs of Rs.2000/- to the Respondent Nos.1 & 2 within 4 weeks from date. The Civil Application is accordingly disposed of.

[R.M.SAVANT, J]