

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

951 CIVIL APPLICATION NO. 8182 OF 2017
IN FA/600/2013

SUPDU SARDAR TADVI
VERSUS
THE NEW INDIA INSURANCE CO. LTD. AND ANR

...
Advocate for Applicant : Mr. Bhokarikar Madhav M
Advocate for Respondent No.1: Mr. A.G. Kanade
Advocate for Respondent No.2 : Mr. B.K. Patil
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CORAM : V. K. JADHAV, J.
DATED : 23rd JUNE, 2017

PER COURT:-

1. Learned counsel for the applicant submits that the applicant is now ready to submit on record the private paper book. Learned counsel for the respondent insurer submits that the appeal came to be dismissed on 25.8.2014 and as such if it is restored the appellant shall not claim the interest for the period of which delay is condoned. Learned counsel for the applicant original claimant submits that the applicant is suffering from permanent disablement to the extent of 100% and as such his prayer may be considered sympathetically.

2 In view of above submission and for the reasons stated in the civil application, civil application is allowed in terms of prayer clause "B" on condition that the applicant is not entitled to claim interest for the period of delay occurred in filing application for restoration of appeal. Fix the appeal for hearing in the last week of July, 2017.

(V. K. JADHAV, J.)