

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**CIVIL APPLICATION NO. 6722 OF 2016
IN FAST/15438/2016**

THE NEW INDIA INSURANCE CO. LTD. THROUGH BRANCH MANAGER
VERSUS

POONAM RAJENDRA THAKARAL AND ANOTHER

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Adv. for Applicant : Mr.M.R.Deshmukh h/f. Mr. S. G. Chapalgaonkar.

Advocate for Respondent No.1 : Mr. A. T. Kanawade.

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CORAM : K.K. SONAWANE, J.

DATED : 09TH OCTOBER, 2017.

Order :-

Heard learned counsel for applicant (original respondent No.1) – The New India Insurance Company Limited and respondent No.1. None appears for respondent No.2 i.e. owner of the offending vehicle. Perused the application.

2. This is an application moved for condonation of delay. The learned counsel for applicant submits that, delay has not been caused intentional or deliberate but due to unavoidable circumstances. He prayed to condone the delay.

3. The learned counsel for respondent (original claimant) has no objection to condone the delay. In such circumstances, delay caused for filing appeal against impugned Judgment and Award is hereby condoned. The Registrar (Judicial) to take requisite steps for further process. Accordingly, application stands disposed of.

4. On registration of appeal, issue notice to the respondents.

5. Mr. A. T. Kanawade, learned counsel waives service of notice for respondent No.1 (original claimant).

6. In addition to regular mode of service, the applicant/appellant- Insurance Company shall serve notice for admission of the matter to respondent No.2 privately by fastest legally acceptable mode and file affidavit of service of notice on record with tangible proof to that effect by the returnable date.
7. Stand over to 20th November, 2017.

[K. K. SONAWANE]
JUDGE

rrd.