

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

**55 CIVIL APPLICATION NO. 8682 OF 2016
IN FAST/15962/2016**

THE NEW INDIA ASSURANCE CO. LTD.
VERSUS
RUSTUM NIVRUTTI BANGAR AND ORS.

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Advocate for Applicant : Mr. Gatne Atul B.
Advocate for Respondent No.3 : Mr. R.M. Deshmukh

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CORAM : K.K. SONAWANE, J.

DATE : 3rd October, 2017

PER COURT :

1. Heard learned counsel for the applicant and learned counsel for respondent No.3. Despite service of notice, none appears for respondent Nos.1 and 2.

2. There is delay of 7 days for filing First Appeal against the impugned Judgment and Award passed by the learned Tribunal in M.A.C.P. No. 181 of 2011. Considering the nature of the subject matter and the reasons mentioned in the application, the delay caused in filing the first appeal is hereby condoned.

Accordingly, the application stands allowed in terms of prayer clause "B". The delay so caused in preferring the appeal is hereby condoned.

3. Registry to take steps for further process and place the Appeal for admission after service of notice of Appeal to the respondents. Issue notice to the respondents, returnable on 15th November, 2017. Learned counsel Mr. R.M. Deshmukh waives service of notice on behalf of respondent No.3.

(K.K. SONAWANE, J.)