

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD

556 CIVIL APPLICATION NO. 1240 OF 2017  
IN FAST/16581/2016 WITH CA/1241/2017 IN FAST/16581/2016

M/S PAN FRESH FRUIT AND FOOD INDIA PVT LTD NAGPUR  
THRDIRECTOR  
VERSUS  
NIKHIL MARUTI VERULKAR AND ANR

.....  
Advocate for Applicants : Mr. Barde Parag Vijay  
Advocate for Respondents : Mr. V.N. Upadhye  
Advocate for Respondent : Mr. Girish Nagori  
....

**CORAM : V. K. JADHAV, J.**  
**DATED : 27<sup>th</sup> FEBRUARY, 2017**

**PER COURT:-**

1. Heard learned counsel for the respective parties.
2. Learned counsel for the applicant submits that the employer company is situated at Nagpur and thus the applicant employer got knowledge in respect of disposal of the case belatedly. Learned counsel for the applicant further submits that the respondent insurer has preferred separate appeals and in those appeals, the delay has been condoned by this court. Learned counsel for the respondents have strongly resisted the application on the ground that delay has not been explained satisfactorily.
3. However, in view of the above submissions and for the reasons stated in the application, delay caused in filing the first

appeal is hereby condoned. Civil application is allowed and disposed of.

4. In first appeal, issue notice to the respondents, returnable on 27.03.2017.

5. Mr. Upadhye and Mr. Nagori, learned counsel, waive notice for respective respondents. Call for record and proceedings.

**( V. K. JADHAV, J.)**

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