

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

**928 CIVIL APPLICATION NO. 3912 OF 2015
IN FAST/16930/2014**

MD JAFAR MD RAFIQ

VERSUS

SATISH RAMESHAPPA NIMBALWAR AND ANOTHER

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Advocate for Applicant : Mr. Agrawal Pavankumar S.
Advocate for Respondent No.2 : Mr.Kadethankar Ajit B.

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CORAM : K.K. SONAWANE, J.

DATE : 22nd September, 2017

PER COURT :

1. Heard learned counsel for the applicant.
Heard learned counsel for respondent No.2-Insurance
Company. Despite service of notice, none appears for
respondent No.1.

2. This is an application moved on behalf of the applicant for condonation of delay of 61 days for filing First Appeal against the impugned Judgment and Award passed by the learned Commissioner.

3. In view of the reasons mentioned in the application, I do not find any impediment to condone the delay for giving reasonable opportunity to the applicant in the interest of justice to ventilate the grievances before the appellate forum. Hence, the application for condonation of delay deserves to be allowed. In sequel, the application stands allowed in terms of prayer clause '**B**'. Delay caused in filing appeal against the impugned Judgment and Award is hereby condoned.

4. Registry to take requisite steps for further process. On registration of appeal, re-issue notice to the respondents, returnable on 2nd November, 2017. Learned counsel Mr. Ajit Kadethankar waives service of notice on behalf of respondent No.2.

5. Meanwhile, call Record and proceedings from the concerned lower Court.

6. After registration of appeal, same be listed for hearing on 2nd November, 2017.

(K.K. SONAWANE, J.)