

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

**922 CIVIL APPLICATION NO. 16077 OF 2016
IN FAST/36759/2016**

THE ORIENTAL INSURANCE CO. LTD.
VERSUS
DATTATRAYA JANARDHAN WANDHEKAR AND ORS

...
Advocate for Applicant : Mr. Kanade Arun G.
Mr.Deshpande Ram B., Advocate for respondent no.1.
Respondent no.3 served.

...
CORAM : P.R. BORA, J.
Dated: July 06, 2017
...

PER COURT :-

1. The Office remark shows that the owner of the vehicle i.e. respondent no.2 is yet to be served, however, now it is submitted that the Insurance Company has filed the appeal only on the aspect of quantum. In such circumstances, owner need not be served. Service complete.
2. Heard learned Counsel Shri A.G.Kanade for the applicant and Mr. Ram.B.Deshpande, for respondent no.1. Delay of 129 days has occurred in filing the appeal. For the reasons stated in the application which, according to me, are just and sufficient, the delay caused in filing the appeal is condoned. Civil Application for condonation of delay stands disposed of. The Appeal be registered in accordance with law.
3. After registration of the appeal, issue notice to the respondents in the appeal returnable after four weeks. Shri Ram B.Deshpande, learned Counsel, waives service for respondent no.1. Service on respondent nos. 2 and 3 is exempted. Service complete. Call for R & P. Place the matter for admission after four weeks.

(P.R. BORA, J.)

agp/-