

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CIVIL APPLICATION (CAF) NO.1556 OF 2016
IN
FIRST APPEAL ST. NO.8756 OF 2016

United India Ins. Co. Ltd. Thr. The Sr. Divisional Manager, Nagpur

-vs-

Purushottam Narayan Rasekar and ors.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Shri K. D. Deshpande, Advocate for applicant/appellant.

CORAM : DR S.S. PHANSALKAR-JOSHI, J.

DATE : JUNE 20, 2017

This is an application for condonation of delay of 12 days in preferring the appeal. Learned counsel for the respondents are absent when called out.

For the reasons stated in paragraph Nos.5 to 8 of the application, as sufficient cause is made out, the delay is condoned and the application is allowed with no order as to costs.

C.A.O. No.310 of 2017

This is an application preferred by the appellant for early hearing on the ground that the cheque towards premium of insurance policy was dis-honoured for want of funds in bank account. As a result the policy was cancelled from the date of its inception and hence appellant was not at all liable for paying the compensation amount to the claimant. It is submitted by learned counsel for appellant that the amount deposited by the appellant towards compensation amount is lying

idle. Therefore the appeal be decided expeditiously or the amount be returned to the appellant.

Learned counsel for the respondents is absent when called out. However considering the fact that today itself this Court has condoned the delay and directed the matter to be kept for admission, hearing of the appeal can be expedited.

Considering the short point involved, hearing of the appeal is expedited. The application is allowed and disposed of accordingly.

F.A.St. No.8756/2016

Issue notice stating that the appeal would be heard finally at admission stage, returnable on **03/07/2017**.

JUDGE