

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

13 CIVIL APPLICATION NO.2256 OF 2018 IN FAST/2258/2018

**THE NEW INDIA ASSURANCE CO. LTD. THR ITS
AUTHORIZED SIGNATORY, AURANGABAD.
VERSUS
KUSUMBAI BABURAO @ RAWAN JAGTAP AND ORS.**

...

**Advocate for Applicant : Mr. M.M. Ambhore
Advocate for Respondents No. 1 to 3 : Mr. M.P. Kale.**

....

**CORAM : V.L. ACHLIYA, J.
DATED : 30th JULY, 2018**

PER COURT:-

1. The applicant has preferred this application for condonation of 235 days delay in filing appeal against the impugned judgment and award passed by the Tribunal.
2. Heard the learned counsel for the applicant and the learned counsel representing respondents no.1 to 3. Respondent no.4 though served, absent.
3. Learned counsel for the applicant submits that the delay caused in filing the appeal is not deliberate, but caused due to time spend in securing permission from the regional office.
4. Considering the cause assigned in the light of unchallenged pleadings made in the application, I am of the view that sufficient cause has been made out to condone the delay in filing Appeal.

5. Accordingly, the application is allowed in terms of prayer clause 'B' subject to cost of Rs.5,000/- to be deposited by the applicant - Insurance Company with the High Court Legal Services Sub Committee, Aurangabad within two weeks from today. Failure to deposit the costs within stipulated period, the application stands dismissed without further reference to the Court.

(V.L. ACHLIYA)
JUDGE

SPR