

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

CIVIL APPLICATION NO. 5563 OF 2017 IN FAST/7753/2017

BAJAJ ALLIANZ GENERAL INSURANCE CO. LTD, THR ITS
DIV.MANAGER, AHMEDNAGAR AND ORS
VERSUS
SANGITA RAJU KHUDE

...
Advocate for Applicant : Mr. S. G. Chapalgaonkar.
Advocate for Respondent No.1 : Mr. Rajendra B. Dhakane.
...

CORAM : K.K. SONAWANE, J.

DATED : 22nd JUNE, 2018.

Order :-

1. Heard Mr. Chapalgaonkar, learned counsel for applicant-Insurance Company, Mr. Dhakane, learned counsel for respondent No.1 (original claimant). Despite service of notice, no one else appeared for respondents No. 2 to 4. Perused the application.
2. The present application is moved for condonation of 13 days delay caused for filing first appeal against impugned Judgment and Award passed by learned Motor Accident, Claims Tribunal, Ahmednagar in M.A.C.P. No. 944 of 2011 dated 20-10-2016.
3. In view of reasons mentioned in the application, there is no impediment to allow the application for condonation of delay caused in filing the first appeal. It would not cause any prejudice or injustice to the respondents. In contrast, it would sub-serve the purpose for substantial justice. Hence, the application deserves to be allowed. Accordingly, the application stands allowed in terms of prayer clause (B). The delay caused in filing first appeal against the impugned Judgment and Award is hereby condoned. The Registry to take requisite steps for further process. The civil application stands disposed of in above terms.

4. On registration of appeal, issue notice to the respondents, returnable on 24th July, 2018.
5. Mr. R. B. Dhakane, learned counsel waives service of notice for respondent No. 1 (original claimant).
6. Meanwhile, call for record and proceedings from the concerned Tribunal. After compliance of procedural formalities and receipt of record and proceedings, list the appeal for admission.

[K. K. SONAWANE]
JUDGE

rrd.