

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

CIVIL APPLICATION NO. 4475 OF 2018 IN FAST/7813/2018

BAJAJ ALLIANZ GENERAL INSURANCE CO. LTD., THR ITS AUTHORIZED
SIGNATORY, AURANGABA
VERSUS
MINAL SHITAL PATEL AND ORS

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Advocate for Applicant : Mr. M.A.Deshmukh h/f. Mr.S.G.Chapalgaonkar.

Advocate for Respondents No. 1 to 5 : Mr. Lalit Mahajan.

Advocate for Respondent No.6 : Mr.D.D.Choudhari h/f. Mr. J.R.Shah

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CORAM : K.K. SONAWANE, J.

DATED : 20th JUNE, 2018.

Order :-

1. Heard Mr. Deshmukh, learned counsel for applicant- Insurance Company, Mr. Lalit Mahajan, learned counsel for respondents No.1 to 5 (original claimants) and Mr. Choudhari, learned counsel for respondent No.6. Perused the application and relevant document on record.

2. The present application is moved for condonation of 54 days delay for filing first appeal against impugned Judgment and Award passed by learned Motor Accident, Claims Tribunal, Nandurbar in M.A.C.P. No. 75 of 2012 dated 22-09-2017.

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.
5. Mr. Lalit Mahajan, learned counsel waives service of notice for respondents No. 1 to 5 (original claimants). Mr. Choudhari h/f. Mr. Shah, learned counsel waives service of notice for respondent No.6.
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 in due course.

[K. K. SONAWANE]
JUDGE

rrd.