

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

61 CIVIL APPLICATION NO. 5578 OF 2018

IN
FAST/12016/2018
WITH
CA/5595/2018
IN
FAST/12042/2018
WITH
CA/5597/2018
IN
FAST/12033/2018

UNITED INDIA INSURANCE CO. LTD.,
THR ITS DIV. MANANGER, AURANGABAD
VERSUS
SHRIHARI ASHRUBA KALE AND ORS.

.....

Mr. S.S.Dargad h/f Mr. S.G.Chapalgaonkar,
Advocate for applicant.
Mr. S.A.Gaikwad, Advocate for R – 1.
Mr. M.M.Ambhore, Advocate for R – 6.

.....

CORAM : V.L.ACHLIYA, J.
DATE : 27th JULY, 2018

.....

ORAL ORDER :

1. The applicants/appellants preferred this application for condonation of delay in filing Appeal against the Judgment and Award passed by the Tribunal.
2. Heard learned counsel for the applicant and the counsel representing respondent No. 1. Respondent Nos. 2 to 6 though served, absent.
3. Learned counsel for the applicant submits that delay was not deliberate but caused due to reasons set out in the application

particularly to secure clearance from the regional office.

4. Learned counsel for respondent No. 1 opposed the application with the contention that no sufficient cause is assigned to condone the delay. He submits that the reason assigned can not be treated as sufficient cause to condone the delay.

5. Upon considering the submissions advanced in the light of the facts of the case, I am of the view that delay deserves to be condoned. In case delay is condoned, no serious prejudice would cause to the respondents.

6. Accordingly, the application is allowed in terms of prayer clause 'B'. Delay condoned. Appeal be registered.

7. Place the Appeal for admission on 08/08/2018.

[V.L.ACHLIYA]
JUDGE

KNP/C.A. 5578.2018 in F.A.St. 12016.2018