

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

CIVIL APPLICATION NO. 6076 OF 2017 IN FAST/12900/2017

THE NEW INDIA ASSURANCE CO. LTD THR ITS AUTHORIZED
SIGNATORY RAVIKANT R. YADAV, AURANGABAD
VERSUS
RAMKALA EKNATH SANGLE AND ORS

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Advocate for Applicant-Insurance Company : Mr. M. M. Ambhore.
Advocate for Respondents No.1,2,4 : Mr. Amarsinha S. Kakade h/f.
Mr. Nitin K. Chaudhari.

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CORAM : K.K. SONAWANE, J.

DATED : 22nd JUNE, 2018.

Order :-

1. Heard Mr. Ambhore, learned counsel for applicant- Insurance Company and Mr. Kakade h/f. Mr. Choudhari, learned counsel for respondents No.1,2,4 (original claimants). Rest of the respondents remained absent after service to them. Perused the application.
2. The present application is moved for condonation of 104 days delay caused for filing first appeal against impugned Judgment and Award passed by learned Motor Accident, Claims Tribunal, Aurangabad in M.A.C.P. No. 746 of 2010 dated 22-09-2016.
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.
4. 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.

5. On registration of appeal, issue notice to the respondents, returnable on 23-07-2018.
6. Mr. N. K. Choudhari, learned counsel waives service of notice for respondents No. 1 to 4 (original claimants).
7. 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.