

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

CIVIL APPLICATION NO. 8254 OF 2016
IN FAST/16385/2016

THE NEW INDIA ASSURANCE CO. LTD. THROUGH ITS INCHARGE
VERSUS
CHHAYA SUKHDEO WAGH AND ORS

...
Advocate for Applicants : Mr. S. R. Bodade.
Advocate for Respondents No.1 to 3 : Mr. Shaikh Mazhar A. Jahagirdar
...

CORAM : K.K. SONAWANE, J.

DATED : 20th JUNE, 2018.

Order :-

Heard learned counsel for the applicant- Insurance Company and learned counsel for applicants-original claimants. No one else appeared on behalf of respondent No.5 Manoj Rajendra Gore. Perused the application and relevant documents placed on record.

2. The present application is moved for condonation of 19 days delay caused in filing first appeal against impugned Judgment and Award passed by learned Motor Accident, Claims Tribunal, Shrirampur, District Ahmednagar in M.A.C.P. No. 62 of 2015 dated 10-12-2015.

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. Jahagirdar, learned counsel waives service of notice for respondents No. 1 to 4 (original claimants).
6. Meanwhile, call for record and proceedings from the concerned Tribunal. After compliance of procedural formalities, list the appeal for admission in due course.

[K. K. SONAWANE]
JUDGE

rrd.