

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

920 CIVIL APPLICATION NO.14587 OF 2018
IN FA/3073/2009

NEW INDIA ASSURANCE COMPANY LTD AURANGABAD THROUGH
DIVNL.MANAER AURANGABAD

VERSUS

LALITA BALASAHEB SHELAR AND ORS

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

Advocate for Respondent No. 1 : Mrs. Savita P. Kakade
h/f Mr. P.B.Kakade

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CORAM : SUNIL K.KOTWAL, J.

DATE : DECEMBER 07, 2018

O R D E R :

Heard Mr. Deshmukh, learned Advocate h/f Mr. Chapalgaonkar, learned counsel for applicant and learned counsel for respondents.

2. Conditional order, passed by this Court, for supply of private paper book within one year was not complied by the counsel. Therefore, appeal came to be dismissed.

3. Learned counsel for applicant submits that due to mistake of the then Advocate and Clerk of the

Advocate, inadvertently the order passed by this Court could not be complied with. He submits that there was no intentional act.

4. Considering this acceptable reason, I hold that delay deserves to be condoned. Accordingly, delay of 3255 days is condoned.

5. Civil application is disposed of.

6. First appeal (St) No. 3073 of 2009 is restored to its original position.

7. Stand over to 15.2.2019.

[SUNIL K.KOTWAL, J.]

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