

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

CIVIL APPLICATION NO. 14825 OF 2017 IN FAST/39131/2017

THE NEW INDIA ASSURANCE CO. LTD., THR ITS AUTHORIZED  
SIGNATORY S.S. MAKHARE, AURANGABAD

VERSUS

RADHA RAMESHWAR KHARAT AND ORS

...

Advocate for Applicant : Mr. M. M. Ambhore

Advocate for Respondent No. 7 : Mr. Mahesh R. Sonwane

Advocate for Respondents No. 8 and 9 : Mr. Girish Nagori

Advocate for Respondent No. 10 : Mr. S. V. Kulkarni

...

**CORAM : SUNIL K. KOTWAL, J.**

**DATED : 12<sup>th</sup> OCTOBER, 2018.**

**ORDER :-**

Heard learned counsel for applicant and learned counsel for respondents No. 8 and 9. Despite service, none appears for respondents No.1 to 6.

2. Learned counsel for respondents No. 8 and 9 objects to condone the delay.

3. Considering the reasons assigned for delay, the application for condonation of delay is allowed. The delay of 124 days in filing first appeal is condoned. Civil application is disposed of accordingly.

4. First Appeal stamp No. 39131 of 2017 be registered.

5. Issue notice to the respondents, returnable on 30-11-2018.

6. Mr. Girish Nagori, learned counsel waives service of notice for respondents No. 8 and 9.

**[ SUNIL K. KOTWAL ]  
JUDGE**

rrd.