

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

CIVIL APPLICATION NO. 39/2018 IN FAST/39907/2017

BAJAJ ALLIANZ GENERAL INSURANCE CO. LTD., THR ITS MANAGER,
AURANGABAD AND ORS
VERSUS
MANISHA SHIVDAS GHAN AND ORS

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

Advocate for Respondents No.1 to 3 : Dr.Swapnil D. Tawshikar

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CORAM : K.K. SONAWANE, J.

DATED : 15th JUNE, 2018.

Order :-

1. Heard Mr. Deshmukh h/f. Mr. Chapalgaonkar, learned counsel for applicant- Insurance Company and Mr. Tawshikar, learned counsel for respondents No.1 to 3- original claimants. Despite service of notice, no one else turned up on behalf of respondents No. 4 and 5.
2. Perused the application. The present application is moved for condonation of 32 days delay for filing first appeal against impugned Judgment and Award passed by learned Motor Accident, Claims Tribunal, Jalna in M.A.C.P. No. 23 of 2016 dated 15-06-2017.
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, returnable on 10-07-2018.
5. Mr. Tawshikar, learned counsel waives service of notice for respondents No. 1 to 3 (original claimants).
6. Meanwhile, call for record and proceedings from the concerned Tribunal. After receipt of record and proceedings, list the appeal for hearing at the stage of admission.

[K. K. SONAWANE]
JUDGE

rrd.