

Vidya Amin

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION No. 3025 OF 2016
IN
FIRST APPEAL (ST.) NO. 14790 OF 2016

The New India Assurance Co. Ltd. ... Applicant
Vs.
Smt. Sabrunnisha Vakil Khan & Ors. ... Respondents

Mr. D.S. Joshi, Advocate for the applicant.
Mr. Amol Gatne, Advocate for respondent nos. 1, 3 to 6.
Mrs. Yogita Deshmukh, Advocate for respondent no. 9.

CORAM: MRS.MRIDULA BHATKAR, J.
DATE: 20th February, 2018.

P.C.:

This Application is moved for condonation of delay of 27 days in filing the First Appeal.

2. The learned counsel for the applicant/insurance company has submitted that respondent nos. 7 and 9 are already deleted by order dated 13th October, 2016. He submitted that respondent no. 8 is the owner of the offending vehicle, however, the applicant/insurance company has no claim against him, as the Appeal is filed on the ground of negligence of the other vehicle. The learned counsel submitted that there is a delay of 27 days in filing First Appeal and hence, the same be condoned.

3. In view of this, service on respondent no. 8 is dispensed with.
4. The learned counsel for respondent no. 1, 3 to 6/original claimants opposed this Application for condonation of delay.
5. Considering the delay of 27 days and in view of the reasons mentioned in the Application, delay is condoned.
6. First Appeal be registered.
7. Civil Application is allowed and is disposed of accordingly.

(MRIDULA BHATKAR, J.)