

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**CIVIL APPLICATION NO. 2518 OF 2017
IN
FIRST APPEAL STAMP NO. 15436 OF 2017**

The New India Insurance Co. Ltd. ... Applicant
Versus
Sahebrao Babulal Kapure and another ... Respondents
.....
Mr. Himanshu Takke i/b Mr. Milind V. More for the Applicant.
Mr. T.J. Mendon for the Respondent No.1.
.....

CORAM : K. K. SONAWANE, J.

DATE : 27th JULY, 2018.

P. C.:

1. Heard learned Counsel for the applicant-insurance company and learned Counsel for respondent No.1-original claimant.
2. Despite service of notice, no one else appeared on behalf of respondent No.2. The present application is filed for condonation of 54 days delay in presenting First Appeal against the impugned judgment and award passed by the Member, M.A.C.T. Kalyan in M.A.C.P. No. 1235 of 2001.

3. In view of reasons mentioned in the application and nature of the subject matter, there is no impediment to condone the delay. Hence, civil application stands allowed in terms of prayer clause (a). Delay caused for filing the First Appeal against the judgment and award passed by the Member, M.A.C.T. Kalyan, is hereby condoned. Registry to take further steps.

4. Accordingly, civil application stands disposed of. No order as to costs.

5. On registration of appeal, issue notice to the respondents, returnable on 4th September, 2018. Mr. Mendon, learned Counsel waives service of notice on behalf of respondent No.1.

(K. K. SONAWANE, J.)

Shridhar
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Sutar

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