

Vidya Amin

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION No. 3088 OF 2009
IN
FIRST APPEAL (St.) No. 17527 OF 2009

The New India Assurance Co. Ltd. ... Applicant
Vs.
Dharmendra Shyamlal Gupta & Anr. ... Respondents

Ms. Sayli Apte i/b. Prakash G. Lad, Advocate for the applicant.

CORAM: MRS.MRIDULA BHATKAR, J.
DATE: 23rd January, 2018.

P.C.:

This Application is moved for condonation of delay of 356 days in filing the First Appeal.

2. The learned counsel for the applicant/insurance company submitted that the application is served on respondent no. 1- Dharmendra Shyamlal Gupta/original claimant. The learned counsel submitted that time was consumed in obtaining the permission of the higher authority.

3. It appears from the judgment that opponent no. 2 did not appear to contest the claim and the insurance company has defence mainly on the point of quantum and negligence. Hence, notice against the respondent/owner is dispensed with. None present for

respondent no.1 though served

4. In view of the uncontroverted submissions, delay of 356 days is condoned.

5. First Appeal be numbered and fixed for admission after 4 weeks.

6. Civil Application is allowed and is accordingly disposed of.

(MRIDULA BHATKAR, J.)