

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

**CIVIL APPLICATION NO. 3517 OF 2015
IN
FIRST APPEAL STAMP NO.20352 OF 2015**

Reliance General Insurance Co. Ltd. ... Applicant

Versus

Anjiladevi Santosh Dube and others ... Respondents

.....

Ms Deepika Prabala i/b Res Juris for Applicant-insurance company.

Ms Komal M. Sawant i/b A.M. Gokhale for respondents No.1 to 6.

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CORAM : K. K. SONAWANE, J.

DATE : 8th AUGUST, 2018.

P. C.:

1. Heard learned Counsel for the applicant-insurance company and learned Counsel for respondents-original claimants No. 1 to 6.
2. Notice was served to respondent No.7 through paper publication, but no one else appeared on his behalf.
3. The present application is filed for condonation of 142 days delay in filing first appeal against the impugned judgment and award passed by the M.A.C.T. Mumbai in M.A.C.P. Application No. 194 of 2009. Learned Counsel for the applicant-insurance company submits that the so called delay is not intentional and deliberate, but caused due to the compliance of official formalities

for presenting appeal. Learned Counsel requested to condone the delay.

4. Learned Counsel for respondent Nos. 1 to 6-original claimants has no any objection to condone the delay.

5. In view of reasons mentioned in the application and nature of the subject matter, there is no impediment to condone the delay. Accordingly, civil application stands allowed in terms of prayer clause (b). Delay caused for presenting appeal against the impugned judgment and award passed by the M.A.C.T. Mumbai in M.A.C.P. Application No. 194 of 2009 is hereby condoned. Registry to take requisite steps for further process.

6. On registration of appeal, issue notice of appeal to the respondents, returnable on 17th September, 2018. Ms. Deepika Prabala, learned Counsel waives notice on behalf of respondents No. 1 to 6. In the meantime, call for record and proceedings from the concerned Tribunal.

(K. K. SONAWANE, J.)