

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

936 CIVIL APPLICATION NO.2234 OF 2019
IN
FAST/3992/2019

BAJAJ ALLIANZ GENERAL INSURANCE COMPANY
LIMITED THR ITS BRANCH MANAGER
VERSUS
ANAND VASANT GAVIT AND ORS.

.....
Mr. S.G.Chapalgaonkar, Advocate for Applicant.

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CORAM : V.L.ACHLIYA, J.

DATE : 02/04/2019
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ORAL ORDER :

1. The applicant/appellant has moved this application seeking condonation of delay of 311 days in filing appeal against the impugned Judgment and award passed by the Motor Accident Claims Tribunal, Nandurbar.

2. Heard learned counsel for the applicant. Respondent Nos. 1 to 4 though served, absent.

3. In brief, it is the contention of learned counsel for applicant that the delay caused in filing appeal was not deliberate but resulted due to securing the opinion and clearance from the head office of the insurance company. Learned counsel submits that the appellant has good case to succeed in appeal. If delay is not condoned, there is likelihood that meritorious matter may be rejected for technical reasons.

4. Considering the submissions advanced in the light of unchallenged pleadings, I am of the view that the applicant has made out the case to condone the delay. The reasons assigned are sufficient to condone the delay.

5. Accordingly, the application is allowed in terms of prayer clause 'B'. Delay is condoned. Appeal be registered and place for admission on 29/04/2019.

6. S.O. 29/04/2019.

[V.L.ACHLIYA]
JUDGE

KNP.