

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

935 CIVIL APPLICATION NO.3557 OF 2018
IN FIRST APPEAL STAMP NO.6019 OF 2018

THE ORIENTAL INSURANCE CO. LTD. AURANGABAD
VERSUS
HAFIZ BI W/O.SK.RAHEEM & OTHERS

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Advocate for Applicant : Mr.Arun G. Kanade
Advocate for Respondent nos.1 and 2 :
Mr.Hamzakhan Pathan

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CORAM : V.L.ACHLIYA,J.
DATE : 10.12.2019

PER COURT:

1] This application is filed for condonation of 20 days delay in filing First Appeal for the reasons set out in detail in the application.

2] Heard learned counsel for the applicant-appellant and the respondent nos.1 and 2 i.e. claimants. Notice sent to respondent no.3 is returned unserved with endorsement that he is not residing on the given address; so also notice sent to respondent no.4 is returned unserved with endorsement that he was out of State at the time of service. The Tribunal has proceeded *ex parte* against respondent no.4.

3] On due consideration of the submissions advanced in the light of the reasons assigned for condonation of delay and delay is only of 20 days, which cannot be termed as inordinate, I am of the view that delay deserves to be condoned. If delay is condoned, no serious prejudice would be caused to the respondents. Accordingly, application is allowed in terms of prayer clause-B. Delay is condoned. Appeal be registered.

4] Civil Application is disposed of in above terms.

[V.L.ACHLIYA]
JUDGE

DDC