

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

**CIVIL APPLICATION NO.5123 OF 2015
IN
FIRST APPEAL (ST) NO.10559 OF 2015**

**THE NEW INDIA ASSURANCE CO. LTD. THR ITS IN-CHARGE LEGAL
HUB SHARDA ASHOK MANDVEK**

VERSUS

PUNAM SHARAD @ PAPA KHARAT AND OTHERS

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Mr. S.R. Bodade, Advocate for Applicant.
Mr. L.V. Sangeet, Advocate for Respondent Nos.1 to 4.

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CORAM : SMT. VIBHA KANKANWADI, J.

DATE : 2nd AUGUST, 2019.

ORDER :

. Present application has been filed for getting the delay of 21 days condoned in filing first appeal. The Insurance Company intends to challenge the judgment and award passed by the learned tribunal. Learned Advocate Mr. Sangeet waives notice for original claimants i.e. respondent Nos. 1 to 4. He has strong objection to condone the delay on the ground that it has not been properly explained.

2. Respondent Nos. 5 and 6 are the original respondent Nos.1 and 3. The application could have been objected only by the claimants i.e. respondent Nos.1 to 4. Under such circumstance, no necessity to serve present respondent Nos.5 and 6.

3. Taking into consideration the duration of the delay and the reasons mentioned in paragraph Nos.9 and 10, delay stands condoned.
4. Civil Application stands allowed and disposed of accordingly.
5. Registry to verify and register the first appeal and place it for further consideration on 28.08.2019.

(Smt. Vibha Kankanwadi, J.)

Shubham/