

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

919 CIVIL APPLICATION NO.8576 OF 2019
IN
FIRST APPEAL (STAMP) NO.21004 OF 2019

M/S SHRIRAM GENERAL INSURANCE CO. LTD., THR
ITS MANAGER
VERSUS
USHABAI VASANT KALE AND ANR

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Mr.V.N. Upadhye, Advocate for applicant.

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CORAM: V.L. ACHLIYA, J.
DATE : 12.12.2019

ORAL ORDER:

The appellant/applicant moved this application for condonation of 111 days delay caused in filing the appeal for the reasons set out in detail in the application.

2. Heard learned counsel for the appellant/applicant. None present for respondent nos.1 and 2 though served and recorded appearance through Advocate.

3. In brief, it is the contention of learned counsel for the applicant/appellant that the delay caused in filing appeal can not be termed as intentional and deliberate. It is submitted that the Regional Office of the applicant/appellant is situate at Pune.

After receiving the proposal and processing the same papers were forwarded to the Regional office for taking decision. In the process much time was consumed. After receiving the legal opinion and clearance from the Regional office, the necessary steps have been taken to file the appeal.

4. On due consideration of submissions advanced in the light of unchallenged and uncontroverted pleadings made in the application assigning cause for condonation of delay, I am of the view that, the delay deserves to be condoned. In case the delay is condoned, no prejudice would cause to the respondents-claimants as ultimately the matter will be decided on merits. I am therefore inclined to allow the application. Accordingly, the application is allowed in terms of prayer clause "A". The delay condoned. The appeal be registered subject to removal of office objections.

5. The Civil Application is disposed of in above terms.

[V.L. ACHLIYA]
JUDGE