

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

**1001 CIVIL APPLICATION NO.11615 OF 2011
IN FAST/23981/2011**

AMRAPALI RAJU MASKE AND ANR
VERSUS
SUBHASH BHANUDASRAO KALE AD ORS

...

Advocate for Applicants : Adv.A.N.Ansari
Advocate for Respondent : Shri V.A.Bagal Patil
Advocate for Respondent No.2 : Shri A.S.Usmanpurkar

...

**CORAM : P.R.BORA, J.
DATE: 6th March, 2019**

PER COURT:-

- 1 Heard learned Counsel appearing for the parties.
- 2 Delay of 161 days has occurred in filing the present appeal by the original claimants.
- 3 Shri A.S.Usmanpurkar, learned Counsel appearing for the respondent Insurance Company has strongly opposed for condoning the delay stating that the reasons as are assigned are insufficient to condone the delay.
- 4 Shri V.A.Bagal Patil, learned Counsel has also opposed for condoning the delay on the same grounds. He has supported the contentions raised by Shri Usmanpurkar.

5 After perusal of contents of the application, I am, however, convinced that the delay has been sufficiently explained. I am, therefore, inclined to allow the application. Hence, the following order is passed.

ORDER

- I) Application is allowed.
- II) Delay caused in filing the appeal is condoned.
- III) Application for condonation of delay stands disposed of.
- IV) Appeal be registered in accordance with law.
- V) After registration of appeal, issue notice to the respondent Nos.1 and 2. Shri V.A.Bagal Patil, learned Counsel waives service of notice for respondent No.1. Shri A.S.Usmanpurkar, learned counsel waives service of notice for respondent No.2. Service complete.
- VI) List the appeal for further consideration on 02.05.2019.
- VII) Call Record and Proceeding.

(P.R.BORA)
JUDGE