

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

**1044 CIVIL APPLICATION NO.10843 OF 2017
IN FAST/26353/2017**

**IFFCO TOKYO GENERAL INSURANCE CO. LTD., THR ITS MANAGER,
AURANGABAD**

VERSUS

LALITABAI TUKARAM NAGARGOJE AND ORS

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Advocate for Applicants : Mr. S.G. Chapalgaonkar

Advocate for Respondent No.1 & 5: Mr. Narwadkar Mrigesh D.

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CORAM : SMT. VIBHA KANKANWADI, J.

DATE : 4th OCTOBER, 2019.

ORDER :

. Present application has been filed for getting the delay of 10 days condoned in filing first appeal.

2. The insurance company intends to challenge the judgment and award passed by the learned tribunal. Learned Advocate Mr. Narwadkar appearing for respondent Nos.1 and 5 has no serious objection. As regards respondent No.6 is concerned, though this Court had dismissed the appeal as against him by order dated 23.08.2019 as steps were not taken for bringing his legal representatives on record and it was the conditional order, it appears that his legal representatives i.e. widow of present

respondent No.5 is already on record. Under such circumstance, the decision of this application is not prejudicial to the respondents. Respondent Nos.7 to 9 were served, however, they are absent.

3. Taking into consideration the duration of the delay, 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 13.11.2019.

(SMT. VIBHA KANKANWADI, J.)

SCM