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

**922 CIVIL APPLICATION NO.10901 OF 2018
IN FAST/25891/2018**

M/S. SHRIRAM GENERAL INSURANCE CO. LTD., THR ITS
BRANCH MANAGER,
VERSUS
LATABAI BHANUDAS BORSE AND ORS

...

Advocate for Applicant : Mr. S.G. Dargad h/f Mr.
S.G. Chapalgaonkar

Advocate for Respondent Nos. 1 to 4 : Mr. Patil
Shrikant S.

...

**CORAM : P.R. BORA, J.
DATED : 09th JANUARY, 2019.**

PER COURT:-

. The learned counsel for the appellants seeks leave to delete the name of respondent no.5 from the array of respondents.

2. Leave granted. The name of respondent no.5 be deleted from the array of respondents.

3. Heard Shri Chapalgaonkar, the learned counsel appearing for the applicant-insurance company and Shri S.S. Patil, the learned counsel appearing for the respondents i.e. original claimants.

4. The delay of 469 days has occurred in filing the appeal by the insurance company. The

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learned counsel for the respondents though has opposed for condoning the delay, for the reasons stated in the application, by which according to me the insurance company has sufficiently explained the delay, I am inclined to allow the application. Hence, the following order:

ORDER

- i) The application is allowed.
- ii) The delay caused in filing the appeal is condoned.
- iii) The civil application stands disposed of.
- iv) The appeal be registered in accordance with law. On registration of the appeal, issue notice to the respondents, returnable on 20.02.2019. The learned counsel Shri S.S. Patil waives notice for respondent nos. 1 to 4.
- v) List the appeal on 20.02.2019.

(P.R. BORA, J.)

Mujaheed//