

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

**1096 CIVIL APPLICATION NO.594 OF 2019
IN FAST/34286/2018**

**ROYAL SUNDARAM ALLIANCE INURANCE CO. LTD., THR ITS
AUTHORIZED OFFICER
VERSUS
SAVITA RAMESHWAR HONDE ANDORS**

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Advocate for Applicant : Mr. Deshpande Avinash S. And Mr. S.S. Wagh
Advocate for Respondent Nos.1 and 4 : Mr. P.N. Muley
Advocate for Respondent No.5 : Mr. Sachin B. Munde

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CORAM : SMT. VIBHA KANKANWADI, J.

DATE : 5th JULY 2019

ORDER :

1. Present application has been filed by the Insurance Company for getting the delay of 882 days condoned in filing First Appeal.
2. Along with this application, the Insurance Company wants to file appeal to challenge the order passed by Motor Accident Claims Tribunal, Majalgaon under Section 140 of the Motor Vehicles Act. It has been submitted on behalf of the claimants that the matter has proceeded further before the Tribunal and it is at the fag end of the case.

3. Here the order under challenge is dated 20-02-2016. The delay has been tried to be explained as the applicant was required to obtain permission from different offices. It is also stated that since the papers were required to be forwarded firstly to the office at Mumbai then at Chennai, it consumed lot of time. It can be seen that whatever reasons have been given in paragraph Nos.3 to 5 are vague and the details have not been given. It appears from the impugned order and also from the fact that the present applicant is not coming with the case that the company was not aware about the order that was passed by the learned tribunal on 20-02-2016. If the applicant was very much aware about the said order, then the further question arises. The certified copy was applied for on 26-02-2016 and it was received by the applicant on 09-03-2016. When even the certified copy was with the applicant then the vague reasons that have been mentioned in paragraph Nos. 3 to 5 cannot be accepted as reasonable and sufficient to condone the delay. Hence, the application stands rejected.

(Smt. Vibha Kankanwadi, J.)

Shubham/