

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

CIVIL APPLICATION NO.456 OF 2019

IN

FIRST APPEAL (ST.) NO. 37807 OF 2018

ICICI Lombard General Ins. Co. Ltd.

Applicant.

Versus

Sanjay Jatya Rahase and others.

Respondents.

Mr. A.G. Choudhari, Advocate for the applicant.

Mr. D.S. Bagul, Advocate for respondent No.1.

Mr. Y.B. Bolkar, Advocate for respondent No.3.

Mr. A.B. Girase, G.P. for respondent No.4.

CORAM : SUNIL K. KOTWAL, J.

Dated : 22 March 2019.

ORDER :-

. Heard learned Counsel for the applicant and respondents. Mr. Y.B. Bolkar, learned Counsel for respondent No.3 opposes this application for condonation of delay. However, considering the period of delay of 127 days and nature of the litigation as well as reasons assigned for delay, the discretion can be exercised in favour of the applicant. Therefore, the application

is allowed in terms of prayer clause 'B' and disposed of accordingly.

2. First Appeal (St.) No. 37807 of 2018 be registered. Issue notices to the respondents. Learned Counsel Mr. Bagul waives service for respondent No.1, learned Counsel Mr. Bolkar waives service for respondent No.3 and learned Counsel Mr. Girase waives service for respondent No.4 and Record and proceeding be called.

3. Place the First Appeal on 28 June 2019.

(SUNIL K. KOTWAL)
JUDGE

vdd/