

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**CIVIL APPLICATION NO. 1316 OF 2016
IN
FIRST APPEAL (ST.) NO. 15943 PF 2015**

The New India Assurance Co. Ltd.

...Applicant

Versus

Mr. Dilip Mahipati Paymal & Ors.

...Respondents

.....
Ms. Shalini Shankar, Advocate for the Applicant.

Mr. Ganesh Bhujbal, Advocate for the Respondent.

.....

**CORAM : K.K.TATED, J.
DATED : AUGUST 29th, 2019**

P.C.

1 Heard learned Counsel for the parties.

2. Though the Respondent Nos. 3 and 4 duly served no one appeared on behalf of them, when the matter called out.

3. By this Civil Application, Applicant is seeking condonation of 27 days delay in filing the First Appeal challenging the Judgment and Award dated 02 January, 2014 passed by Motor Accident Claims Tribunal Islampur, in Motor Accident Claim Petition No. 46 of 2011.

4. Considering the submission made by the learned counsel for the Applicant and averments made in Civil Application, I am satisfied that Applicant has made out a case for allowing the Civil Application

Hence, the following order is passed:

- a) Delay in filing First Appeal, is condoned.
- b) Civil Application stands disposed of accordingly.
- c) No order as to costs.

(K.K.TATED, J.)