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

**CIVIL APPLICATION NO. 2566 OF 2017
IN
FIRST APPEAL (STAMP) NO. 15701 OF 2017**

The New India Assurance Co. Ltd. .. Applicant
Vs.
Smt. Sharada Tukaram More & Ors. .. Respondents

Mr. Sudhir Pandaram I/b Milind More for the Applicants.
Mr. Yuvraj P. Narvankar for the Respondent.

CORAM : K. K. TATED, J.
DATE : 20th MARCH, 2019.

P. C. :

1. Heard learned Counsel for the parties.
2. Though other Respondents are duly served, no one appeared on behalf of them when the matter called out.
3. By this Civil Application, the Applicant is seeking condonation of 81 days delay in filing the First Appeal challenging the Judgment and Award dated 07.12.2016 passed by Motor Accident Claim Tribunal, Kolhapur in Motor Accident Claim Petition No. 60 of 2006.
4. Learned Counsel for Respondent Nos.1 & 2-original Claimants submits that they do not have any objection, if the delay is condoned.
5. Considering the submissions made by learned Counsel for Applicant, averments made in Civil Application and as the learned Counsel appearing on behalf of Respondent Nos.1 and 2-original Claimants have no objection, I am satisfied that the Applicant has made out case for

following order :

- (i) Delay of 81 days in filing the First Appeal is condoned.
- (ii) The Civil Application stands disposed of accordingly. No order as to costs.

[K. K. TATED, J.]