

Urmila Ingale

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION  
**CIVIL APPLICATION NO. 4036 OF 2015**  
IN  
**FIRST APPEAL STAMP NO. 30738 OF 2015**

|                                    |                |
|------------------------------------|----------------|
| The New India Assurance Co. Ltd.   | .. Applicant   |
| Vs.                                |                |
| Sundarabai Krishna Shinde and anr. | .. Respondents |

Mr.D.R.Mahadik, for the Applicant.

**CORAM : K.K.TATED, J.**

**DATE : 20<sup>th</sup> AUGUST, 2019**

**P.C. :**

.                      Heard learned Counsel for applicant.

2.                      Though the respondents are duly served, no one appears on their behalf when the matter is called out.

3.                      By this Civil Application, applicant- Insurance Company is seeking condonation of 106 days delay in filing First Appeal challenging Judgment and Award dated 06/04/2015

passed by Motor Accident Claims Tribunal, Sindhudurga - Oros  
in Motor Accident Claim Petition No. 49 of 2010.

4. Considering the submissions made by 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.

**ORDER**

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

**(K.K.TATED, J.)**