

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

**CIVIL APPLICATION NO.260 OF 2019
IN
FIRST APPEAL (ST.) NO.1608 OF 2019**

Bombay Electric Supply And
Transport

... Applicant

Versus

Smt. Alka Mahesh Singhal
And Another

... Respondents

.....

Ms. Kavita Anchan a/w Heena Shaikh i/b M.V. Kini & Co. for the
Applicant.

.....

CORAM : K. K. TATED, J.

DATE : 29 JULY 2019

P. C. :

. Heard Ms. Kavita Anchan, learned Counsel appearing for the
Applicant.

2 Though the Respondents are served, no one appeared on
behalf of the Respondents when the matter was called out.

3 By this civil application, the Applicant is seeking
condonation of delay of 250 days in filing the First Appeal
challenging the judgment and award dated 24 January 2018
passed by the Motor Accident Claim Tribunal, Mumbai in
Application No.284 of 2011.

4 Considering the submissions made by learned Counsel for the Applicant and the averments made in the civil application, I am satisfied that the Applicant has made out a case for allowing the civil application. Hence, the following order.

: O R D E R :

- i) The delay in filing the First Appeal is condoned ;
- ii) Civil Application is allowed accordingly :
- iii) No order as to costs.

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. Not on Board. At the request of learned Counsel for the Appellant, the matter is taken on record for urgent orders.

2 Heard Ms. Kavita Anchan, learned Counsel appearing for the Appellant.

3 By this First Appeal, the Appellant is challenging judgment and award dated 24 January 2018, passed by the Motor Accident Claim Tribunal, Mumbai in Application No.284 of 2011, holding that the Respondents/claimants are entitled for compensation of Rs.54,48,011 inclusive NFL with interest at the rate of 8 per cent per annum from the date of the application till its realization.

4 Considering the submissions made by learned Counsel for the Appellant and impugned judgment and award, I am satisfied that the Appellant has made out a case for passing following order.

: O R D E R :

- i) Admit ;
- ii) Printing of paper book dispensed with ;
- iii) The Appellant to file a private paper book within one year from today with a copy thereof to be served on the Respondents, failing which, the First Appeal shall stand dismissed without further reference to the Court ;
- iv) Registry is directed to call upon R & P immediately.

(K. K. TATED, J.)