

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION No. 2023 OF 2019
IN
FIRST APPEAL (ST) 4765 OF 2019

Reliance General Insurance Co. Ltd. ...Applicant
Vs.
Mr. Sandeep Sitaram Bhor and Anr. ...Respondents
Mrs.. Shalini Shankar for Applicant

CORAM: K.K. TATED, J.

DATED : JUNE 19, 2019

P.C. :

1. Heard learned counsel Mrs. Shalini Shankar for the Applicant.
2. By this civil application, the Applicant Insurance Company is seeking condonation of 1 year and 128 days' delay in filing the First Appeal, challenging the judgment and award dated 30th June, 2017 passed by the Motor Accident Claim Tribunal, Thane in MACP No. 792 of 2013.
3. It is to be noted that there is a delay of more than one year in filing the First Appeal on the part of the Insurance Company. Hence, they have to pay costs of Rs.5,000/-.
4. Considering the submissions made by the 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 following order, but at the same time they have to pay costs of Rs.5,000/-.
5. Hence, following order:

- (a) Rule.
- (b) Rule made returnable on 6th September, 2019.
- (c) In addition to usual mode of service, the Applicant is permitted to serve the Respondents by a private notice along with entire proceedings either by RPAD and/or by hand delivery and file affidavit of service to that effect.
- (d) Applicant to pay costs of Rs.5,000/-.
- (e) Costs to be paid in the Kirtikar Law Library, 1st Floor, High Court, Mumbai on or before 31st July, 2019 and place on record a receipt to that effect, failing which, civil application shall stand dismissed without referring back to the Court.

(K. K. TATED, J.)