

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

**CIVIL APPLICATION NO. 3181 OF 2007
IN
FIRST APPEAL (ST.) NO. 8932 OF 2007**

The New India Ass. Co. Ltd.

..... Applicant.

Vs.

Ramkrishna Jagannath Pakhare & Anr.

..... Respondents.

.....
U. Badadare i/b. V. N. Sagare for the Applicant.
None for the Respondents.

.....

**CORAM : K.K.TATED, J.
DATED : AUGUST 2, 2019**

P.C.

- 1 Heard Learned Counsel for the Applicant.
2. Though the Respondents are served, no one appeared on behalf of them when the matter is called out.
3. By this Civil Application, the Applicant is seeking condonation of 123 days delay in filing the First Appeal challenging the Judgment and award dated 22nd September, 2006 passed by the Motor Accident Claims Tribunal, Mumbai in Motor Accident Claim Petition No. 987 of 2003.
4. Considering the submission made by the Learned Counsel for the Applicant and the averments made in Civil Application, I am satisfied that the Applicant has

made out case for allowing this Civil Application. Hence, the following order is passed:

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

(K.K.TATED, J.)