

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

Civil Application no.1662/2015
in
FIRST APPEAL (ST) NO.12088/2015

National Insurance Co. Ltd. ... Applicant

V/s.

Nirmalabai Vithal Bhingarkar & Anr. ... Respondents

Mrs. S. S. Dwivedi for the Applicant
Mr. Rajan Pawar for Respondent No.1.

CORAM: K.K. TATED, J.

DATED : MARCH 13, 2019

P.C. :

1 Heard. By this Civil Application, the Applicant Insurance Company seeks condonation of delay of 179 days in filing the First Appeal challenging the judgment and award dated 10.06.2014 passed by the MACT, Nasik in MACP No.433/2009.

2 The learned counsel for the Respondent claimant has vehemently opposed the Civil Application. He submits that the Applicant has failed to show sufficient cause for condonation of delay. Hence, there is no substance in the Civil Application. Same be dismissed with costs.

3 Considering the submissions made by the learned counsel for the Applicant and the averments made in the Application, I am satisfied that the Applicant has made out a case for allowing

the present Civil Application. At the same time, the Applicant has to pay cost of Rs.750/- to the Respondent claimant within two weeks from today.

4 Hence, the following order:

- a) Delay in filing the First Appeal is condoned.
- b) The Applicant shall pay cost of Rs.750/- to the Respondent claimant within two weeks from today.
- c) Civil application stands disposed off accordingly.

(K. K. TATED, J.)