

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

**CIVIL APPLICATION NO. 1605 OF 2015
IN
FIRST APPEAL (ST) NO. 12145 OF 2015**

National Insurance Co. Ltd. Applicant
V/s.
Mr. John K. Mathew & Anr. Respondents
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Ms. Ruchika Dave, i/b. Asim Vidyarthi, Advocate for Applicant.
Mr. Nikhil Mehta, i/b. T.J.Mendon, Advocate for Respondent.

**CORAM : K.K.Tated, J.
DATE : 9th September, 2019**

P.C. :

1. Heard Learned Counsel for parties.
2. By this Civil Application applicant insurance Company is seeking condonation of 40 days delay in filing First Appeal challenging the judgment and award dated 17th November, 2014 passed by Motor Accident Claims Tribunal, Thane in Motor Accident Claim Petition No. 106 of 2010.
3. Considering the submission made by the learned counsel for Applicant and averments made in Civil Application, I

satisfy that, the appellant has made out case for allowing this Civil Application. Hence, the following order.

ORDER

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

(K.K.Tated, J.)