

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

Civil Application No.2663/2019
with
First Appeal (ST) No.14308/2019
with
Civil Application No.2664/2019

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders.
	Mr. Abhijeet P. Kulkarni for the Applicant

CORAM: K.K.TATED, J.
DATED : AUGUST 6, 2019

P.C.

1 Heard. By this Civil Application the Applicant Insurance Co. is seeking condonation of 2 years and 226 days delay in filing the First Appeal challenging the order dated 18.06.2016 passed by the MACT Baramati below Exhibit- 6 in MACP No.185/2014 allowing the Respondent-Claimant's application u/s.140 of the Motor Vehicles Act, 1988 for No Fault Liability.

2 The learned counsel for the Applicant submits that the Tribunal has failed to consider the defence raised by the Insurance Co. about the insurance policy. He submits that in the present

proceedings the offending vehicle was not duly insured with the Applicant. Therefore, there is no question of making any payment to the Respondent claimant. He submits that they have good chance of success in the matter. He submits that in the interest of justice, this Hon'ble Court be pleased to condone the delay in filing the First Appeal.

3 Bare reading of the Civil Application shows that the application is filed in a casual manner. There is no explanation for such inordinate delay of 2 years and 226 days in filing the First Appeal.

4 Hence, following order is passed:

- a. The Civil Application stands rejected.
- b. In view thereof, registration of the First Appeal stands rejected.
- c. Consequently, the Civil Application No.2664/2019 for stay stands dismissed as infructuous.
- d. No order as to costs.

(K.K.TATED, J.)