

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

**CIVIL APPLICATION NO. 3682 OF 2018
IN
FIRST APPEAL (ST.) NO. 16445 OF 2018**

Reliance General Insurance Co. Ltd.Applicant
V/s.
Kumar Sachin Sheshnath Rajbhar and anr.Respondents

**CIVIL APPLICATION NO. 2574 OF 2019
IN
FIRST APPEAL (ST.) NO. 16445 OF 2018**

Kumar Sachin Sheshnath RajbharApplicant

In the matter between :-

Reliance General Insurance Co. Ltd.Appellant
V/s.
Kumar Sachin Sheshnath Rajbhar and anr.Respondents

Ms. Shalini Shankar for the applicant in CAF/3682/2018 and for the appellant in FAST/16445/2018 and for the respondent in CAF/2574/2019.

Ms. Kavita Anchan i/b. Mr. Vishal Dhende for respondent no.1 and for the applicant in CAF/2574/2019.

**CORAM : SMT. ANUJA PRABHUDESSAI, J.
DATED : 27th AUGUST, 2019**

P.C.:-

ORDER IN CIVIL APPLICATION NO. 3682 OF 2018 :-

. The civil application is already dismissed as against the respondent no.2 for want of service. The learned counsel for the

applicant states that though statutory defence was raised, the challenge is restricted to the quantum of compensation.

2. By this civil application, the applicant has sought to condone the delay of 181 days in filing the appeal against the judgment and award dated 04/08/2017 passed by the learned Member, MACT, Thane in Motor Accident Claim No.452/2010. The learned counsel for respondent no.1 who is the original claimant, has no objection for condoning the delay.

3. In the light of said statement and in view of the reasons stated in the civil application, delay is condoned. Appeal be registered after removal of office objections, if any.

4. Civil Application No.3682/2018 stands disposed of.

ORDER IN CIVIL APPLICATION NO.2574 OF 2019 :-

5. Ms. Kavita Anchan, the learned counsel for the applicant states that the applicant was minor at the time of the accident and that this civil application is filed through his father. She states that the applicant has now become major and therefore seeks leave to withdraw this

application with liberty to file fresh application.

6. Leave with liberty is granted. Civil Application No.2574 of 2019 is dismissed as withdrawn.

ORDER IN FIRST APPEAL (ST.) NO.16445/2018 :-

7. List the Appeal for 'admission' on 17/09/2019.

(SMT. ANUJA PRABHUDESSAI, J.)