

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

**CIVIL APPLICATION NO.3013 OF 2018
IN
FIRST APPEAL (STAMP) NO.19475 OF 2018
WITH
FIRST APPEAL (STAMP) NO.19475 OF 2018**

The Manager Cholamandulam MS
General Insurance Co. Ltd.

...Applicant

Versus

Subhash Wamanrao Jadhav and Anr.

...Respondents

.....

Ms Yogita Deshmukh-Chitnis for the Applicant/Appellant.

Mr. P.K. Bohade for the Respondent No.1 in FA/19475/2018.

CORAM : SMT. ANUJA PRABHUDESSAI, J.

DATED: 21st JUNE, 2019.

P.C.:-

The learned counsel for the Applicant states that the Respondent No.2 is the insured and no statutory defence has been raised in the Appeal and that the notice to the Respondent No.2 be dispensed with.

2. By this application, the Applicant has sought to condone delay of 249 days in filing Appeal against the judgment and award dated 27th June, 2017 in M.A.C.P. No.685 of 2011 passed by the M.A.C.T., Nashik.

3. Having heard the learned counsel for the respective parties and having considered the reasons stated in paragraphs 4 to 6 of the application, which in my considered view constitute sufficient cause, the Application is allowed. Delay is condoned. The Appeal be registered.

4. Mr. P.K. Bohade, the learned counsel waives service of notice on behalf of the Respondent No.1. Notice to the Respondent No.2 is dispensed with. The Appeal be listed for admission on **12/7/2019**.

5. The Civil Application stands disposed of.

(SMT. ANUJA PRABHUDESSAI, J.)