

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO.1722 OF 2016
IN
FIRST APPEAL (ST) NO.20836 OF 2015**

IFFCO TOKIO General Insurance

Co. Ltd

.. Applicant

Versus

Baban Shankar Kalyankar

.. Respondent

Mr. Varsha Chavan for applicant.

Mr. Vasant R. Kadam I/b Yuvraj Narvekar for respondent Nos.1
and 2.

CORAM : K.K. TATED, J.

DATE : 11 MARCH 2019.

P.C:-

. Heard learned Counsel for parties.

2. By this civil application, applicant-insurance company is seeking condonation of 54 days delay in filing first appeal challenging the judgment and award dated 06.12.2014 passed by Motor Accident Claim Tribunal, Satara in Motor Accident Claim No.609 of 2010.

3. Learned Counsel appearing on behalf of respondent vehemently opposed the present civil application. He submits

that applicant has not shown sufficient cause for condonation of inordinate delay of 54 days in filing first appeal. Hence, there is no substance in the present civil application and same to be dismissed with cost.

4. Considering the submissions made by learned Counsel for the applicant, averments made in paragraph Nos. 9 and 10 of the civil application, I am satisfied that the applicant has made out case for allowing this civil application. Hence, following order :-

- a) Delay in filing first appeal is condoned.
- b) Civil Application stands disposed of accordingly.
- c) No order as to costs.

(K.K. TATED, J.)