

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

**CIVIL APPLICATION NO.4199/2017
in
FIRST APPEAL (ST)NO.23975/2017**

Office Notes, Office Memoranda of Coram, Appearances, court's orders or directions and Registrar's orders	Court's or Judge's orders
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Advocate Mrs.Nisha Gandhi i/b Res Juris for applicant.

Advocate VB Rajure for Respondent nos. 1 to 3.

**CORAM : K. K. TATED, J
DATE : AUGUST 9, 2019.**

P.C.:

Heard learned counsel for parties.

2 By this civil application, applicant/Insurance Company is seeking condonation of 30 days delay in filing First appeal challenging Judgment and Award dated 6.4.2017 passed by MACT, Sangli in MACP NO.94/2013.

3. Learned counsel for applicant submits that

delay is because of administrative reason. She submits that they have to take approval from several departments before filing First Appeal. Hence, there is delay. She submits that they have good chance of success in the present matter. She submits that in the interest of justice, this court be pleased to condone the delay in filing first appeal..

4 On the other had, learned counsel appearing for respondent vehemently opposed present civil application. He submits that applicant has not shown sufficient cause for condonation of delay. Administrative approval at several levels can not be a ground for condonation of delay. Hence, there is no substance in present civil application and same is liable to be dismissed.

5 It is to be noted that, it is the case of applicant that before filing First appeal on behalf of the Company they have to take approval at several levels. In that process, there was delay in filing civil application.

6 Considering the submissions made by learned advocate for applicant and the averments made in application, I am satisfied that applicant has made out a case for following order but they have to pay cost of Rs.2,500/- to original claimant or their Advocate on or before 31.8.2019 failing which the first appeal shall stand dismissed without referring back to the court. Hence, following order.

- a) Delay in filing First Appeal is condoned.
- b) Civil application allowed accordingly.

(K.K.TATED, J.)