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FARAD CONTINUATION SHEET No.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.2581 OF 2017 IN
FIRST APPEAL ST.NO.24115 OF 2017

Office Notes, Office Memorandum of Coram, appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr.T.J.Mendon for the Appellant Applicant

Mr.Abhay Arora I/b Neha Bhosale for the Respondent
No.2

CORAM :K.K.TATED,J.

DATE : SEPTEMBER 5, 2019

P.C.:

1 Heard learned Counsel for the parties.

2 By this Civil Application, Applicant original claimants seeking condonation of 174 days delay in filing First Appeal challenging the judgment and award dated 8th November 2016 passed by the MACT, Mumbai in MACP No. 1062 of 2010.

3 The learned counsel for the respondent Insurance company vehemently opposed the Civil

Application. He submits that the applicant has not given sufficient cause for condonation of delay. Hence, there is no substance in the Civil Application and the same deserves to be dismissed with no order as to cost.

4 I have heard the parties. Considering the submissions made by the learned Counsel for the Applicant and averments made in paragraph 4 of the Civil Application as well as decision of the Apex Court in the case of Ramchandra N. Balkrishnan Vs. M. Krishnanmurthy (1998) 7 SCC 123 , I am satisfied that Applicant has made out a case for allowing the Civil Application.

5 Hence, the following order is passed:

a) Delay in filing First Appeal, is condoned.

b) Civil Application stands disposed of accordingly. No order as to costs.

(K.K.TATED,J.)