

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

**CIVIL APPLICATION NO.1935 OF 2015
IN
FIRST APPEAL (STAMP) NO.27202 OF 2014
WITH
FIRST APPEAL (STAMP) NO.27202 OF 2014**

National Insurance Co. Ltd. ...Applicant
Versus
Smt. Aruna Bhagwan Rothe and Ors. ...Respondents

.....

Mrs. Poonam Mital for the Applicants.
Mr. D.S. Joshi with Ms Ashwini Jadhav for the Respondent Nos.1 and 2.

CORAM : SMT. ANUJA PRABHUDESSAI, J.

DATED: 21st AUGUST, 2019.

P.C.:-

ORDER IN CIVIL APPLICATION NO.1935 OF 2015:-

By this application the Applicant has sought to condone the delay of 251 days in filing the appeal against the judgment and award dated 11th October, 2013 passed by the District Judge-2 and Additional Sessions Judge and Member, M.A.C.T., Kalyan, in M.A.C.P. No.178 of 2005.

2. In the light of the reasons stated in paragraph 3 of the application, which in my considered view constitute sufficient cause,

the application is allowed. The delay is condoned.

ORDER IN FIRST APPEAL (STAMP) NO.27202 OF 2014:-

3. The appeal be registered after removing the office objections, if any.

4. The learned counsel for the Appellant-Insurance Company states that the challenge is restricted only to the quantum of compensation and no statutory defence is raised. Hence, notice to Respondent No.4 is dispensed with.

5. Mr. D.S. Joshi, the learned counsel waives service of notice on behalf of the Respondent Nos.1 to 3. By consent of the parties, matter is referred to Lokadalat, which is scheduled on **14/9/2019**.

(SMT. ANUJA PRABHUDESSAI, J.)

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