

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

**CIVIL APPLICATION NO. 3769 OF 2017
IN
FIRST APPEAL (ST.) NO. 27671 OF 2017**

Ifco Tokiyo General Insurance Co.Applicant
V/s.
Vaibhav Vasant Rananaware & Ors.Respondents

Mr. N.V. Bhutekar for the applicant in CAF 3769/2017
and for the appellant in FAST 27671/2017 and for
respondent no1 in CAFST 2414/18.
Mr. J.J. Bardeskar for R.No.1 and for the applicant in
CAFST 2414/2018.

**CORAM: SMT. ANUJA PRABHUDESSAI, J.
DATED : 27th FEBRUARY, 2019.**

P.C.:

. By this application, the applicant has sought to condone the delay
of 149 days in filing the appeal.

2. Mr. N.V. Bhutekar, learned counsel for the appellant submits that
the appellant has not raised any statutory defence and that the
challenge is only on the ground of contributory negligence and
quantum of compensation. Hence, notice to respondent nos.2 and 3 is
dispensed with. The learned counsel for the appellant submits that
there is a typographical error in paragraph 8(a) wherein the number of
days is stated to 149 days instead of 49 days. She seeks leave to

amend. Leave is granted. Amendment to be carried out forthwith.

3. In view of the reasons stated in paragraph 4 of the application, which in my considered view, constitute sufficient ground, delay is condoned. Appeal be registered, after office objections, if any, are removed.

4. Civil Application stands disposed of accordingly.

(SMT. ANUJA PRABHUDESSAI, J.)