

Amk

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

**CIVIL APPLICATION NO. 3440 OF 2017
IN
FIRST APPEAL (STAMP) NO. 29135 OF 2017**

IFFCO TOKIO GEN INS Co. Ltd.	.. Applicant
Vs.	
Shri Badelal N Yadav & Ors.	.. Respondents

Ms. Shalini Shenkar for the Applicant.

CORAM : K. K. TATED, J.
DATE : 3rd APRIL, 2019.

P. C. :

1. Heard learned Counsel for the Applicant.
2. Though the Respondents are duly served, no one appeared on behalf of them when the matter called out.
3. By this Civil Application, the Applicant-Insurance Company is seeking condone 35 days delay in filing the First Appeal challenging the Judgment and Award dated 05.05.2017 passed by the Motor Accident Claim Tribunal, Mumbai in Application No. 1408 of 2015.
4. Considering the submissions made by learned Counsel for Applicant and the averments in the Civil Application, I am satisfied that the Applicant has made out case for allowing this Civil Application. Hence, following order :
 - (i) Delay of 35 days in filing the First Appeal is condoned.
 - (ii) The Civil Application stands disposed of accordingly.
 - (iii) No order as to costs.

[K. K. TATED, J.]