

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

**CIVIL APPLICATION NO. 3752 OF 2018
IN
FIRST APPEAL (ST.) NO. 28280 OF 2018
WITH
FIRST APPEAL (ST.) NO. 28280 OF 2018**

Bajaj Allianz General Insurance Co. Ltd.Applicant

V/s.

Vaijanta Vilas Bangar and ors.Respondents

Mr. Sarthak Diwan for the applicant in CAF/3752/2018
and for the appellant in FAST/28280/2018.

Mr. Yuvraj Narvankar for respondent nos.1 and 2 and for
the applicant in CAF/2864/2019.

**CORAM : SMT. ANUJA PRABHUDESSAI, J.
DATED : 19th AUGUST, 2019**

P.C.:-

ORDER IN CIVIL APPLICATION NO. 3752 OF 2018 :-

1. The office remarks as well as the statement made by the learned counsel for the applicant indicate that the respondent no.3 has expired. The learned counsel for respondent nos.1 and 2, under instructions, states that the respondent nos.1 and 2 are the only legal representatives of the respondent no.3.

2. By this civil application, the applicant – insurance company has sought to condone the delay of 11 days in filing the first appeal against the impugned judgment and award dated 02/04/2018 passed by the

learned Member, MACT, Pune in Special MACP No.51/2008. The learned counsel for the respondent nos.1 and 2 has no objection for condoning the delay. The respondent no.4 has been duly served but has not remained present and has not contested the application.

3. In the light of above and in view of the reasons stated in the civil application, the delay is condoned. The appeal be registered after the office objections, if any, are removed.

4. Civil Application No.3752/2018 stands disposed of.

ORDER IN FIRST APPEAL (ST.) NO.28280 OF 2018 :-

5. Mr. Yuvraj Narvankar, learned counsel waives service on behalf of respondent nos.1 and 2. Issue notices to the respondent no.4, returnable on 09/09/2019. Private service is permitted. Appeal be listed for 'admission' on 09/09/2019.

Preeti
H.
Jayani

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signed by
Preeti H.
Jayani
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(SMT. ANUJA PRABHUDESSAI, J.)