

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

**CIVIL APPLICATION NO. 3641 OF 2018
WITH
CIVIL APPLICATION NO. 67 OF 2019
IN
FIRST APPEAL ST. NO. 28534 OF 2018**

Reliance General Insurance Company Ltd., ..Applicant.

Versus

Mrs. Asiya Amjad Khan and others. ..Respondents.

Mrs. Poonam Mittal, Advocate for the Applicant/Insurance Co.

Mr. Devendranath S. Joshi, Advocate for respondent Nos. 1, 4 & 5.

**CORAM : SMT. ANUJA PRABHUDESSAI, J.
DATED : 14th JUNE, 2019.**

P.C.

1. At the outset, the learned counsel for the applicant states that the applicant has not raised any statutory defence as against respondent No.6 and that the notice to respondent No. 6 be dispensed with.

2. By this application, the applicant has sought to condone the delay of 361 days in filling the first appeal.

3. In the light of the explanation given in para No.3 of the application, which is my considered view constitute sufficient ground, delay is condoned. Appeal be registered. Civil application No.3641 of 2018 is Disposed of.

4. Learned counsel Mr. Devendranath S. Joshi, for respondent Nos. 1, 4 and 5 waives service.

5. Notice be issued to the respondent Nos. 2 and 3 returnable on 05/07/2019. Private service is permitted. Appeal be listed for admission.

(ANUJA PRABHUDESSAI, J.)