

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION No. 517 OF 2018
IN
FIRST APPEAL (ST) No. 34376 OF 2017

Reliance General Insurance Company
Limited through Its
Manager Legal.
Mr. Khanjan Joshi ...Applicant
Vs.
Smt. Sangeeta Hublal Patel & Ors. ...Respondents

Mr. Rahul Mehta i/b. KMC Legal Venture for the Applicant
Ms. Varsha Chavan for Respondent Nos. 1 to 5

CORAM: K.K. TATED, J.

DATED : JUNE 14, 2019

P.C. :

1. Heard learned counsel for the parties.
2. Office note shows that the civil application stands dismissed against Respondent Nos.1 to 5 as per order dated 24th August, 2018.
3. Learned counsel Ms. Varsha Chavan for the Respondents submits that she has already filed Vakalatnama on behalf of Respondent Nos. 1 to 5. She submits that she has no objection if civil application is restored against Respondent Nos. 1 to 5. On the basis of the oral application made by learned counsel for the Applicant, same is allowed. Matter restored against Respondent Nos. 1 to 5 by setting aside order dated 24th August, 2018.
4. By this civil application, the Applicant Insurance Company is seeking condonation of 58 days' delay in filing the First Appeal

challenging the judgment and award dated 16th May, 2017 passed by the Motor Accident Claim Tribunal, Mumbai in M.A.C. Application No. 542 of 2012.

5. Considering the submissions made by the learned counsel for the Applicant and the averments made in the application, I am satisfied that the Applicant has made out a case for allowing this civil application.

6. Hence, following order:

- (a) Civil Application is restored to file against Respondent Nos. 1 to 5 by setting aside order dated 24th August, 2018.
- (b) Delay in filing the First Appeal is condoned.
- (c) Civil Application stands disposed of accordingly.
- (d) No order as to costs.

(K. K. TATED, J.)