

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

CIVIL APPLICATION NO. 4229 OF 2017

IN

FIRST APPEAL (ST.) NO. 36063 OF 2017

Bharti AXA General Insurance Co. Ltd. .. Applicant

v/s.

Dipti Anil Gupta & Ors. .. Respondents

Mr. Nikhil Mehta I/b KMC Legal Venture for the applicant

Mr. T.J. Mendon for respondent nos. 1 to 3

**CORAM : A.S. OKA &
M.S. SANKLECHA, J.J.**

DATED : 11th MARCH, 2019

P.C.

1. Heard learned Counsel appearing for the applicant and the learned Counsel appearing for the first to fourth respondent. Office noting shows that the fifth respondent has been served by a publication notice.

2. In view of the averments made in the application, sufficient cause is made out to condone the delay in filing the First Appeal.

3. Accordingly, rule is made absolute in terms of prayer clause (a).

(M.S. SANKLECHA, J.)

(A. S. OKA, J.)