

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 5358 OF 2019
IN FAST/11283/2019

Bajaj Allianz General Insurance Company ...Applicant
Limited

Versus

Aruna W/o Sahebrao Rumanwad & Ors. ...Respondents

.....
Mr. S.B.Darwande, Advocate holding for Mr.
S.G.Chapalgaonkar, Advocate for Applicant
.....

CORAM : S.M.GAVHANE, J.

DATE : 11-02-2020.

ORAL ORDER :

01. Applicant-original respondent No.2 insurance company has filed this application to condone the delay of 60 days caused in filing the appeal against the Judgment and Award dated 10.10.2018 passed by the Motor Accident Claims Tribunal, Bhokar in M.A.C.P. No. 9/2016.

02. Learned Counsel for the applicant referring the grounds mentioned in paragraph Nos. 3 to 6 of the application submitted that after receipt of certified copy of the Judgment and Award the Advocate concerned sent

those copies to the branch office at Nanded. Thereafter, considering the opinion of the Advocate to prefer an appeal, copies of oral evidence and other documents were collected from him. The proposal was sent to the head office, Aurangabad with instructions to appoint Advocate and thus, the delay has been caused in filing appeal. Time was also consumed in drawing the cheques of statutory deposit for filing appeal. According to learned Counsel delay is caused in above circumstances and it is unintentional and mainly it has been caused on administrative grounds and hence, the same may be condoned.

03. Though all the respondents are served, nobody has appeared for the respondents.

04. Considering the submissions made by the learned Counsel appearing for the applicant and the grounds referred to above particularly grounds mentioned in paragraph Nos. 2 to 6 of the application, I am of the view that the applicant has shown sufficient cause to condone the delay and the same needs to be condoned and therefore, the delay is condoned and the application is allowed in

terms of prayer clause B.

05. Appeal be registered. Appeal be placed for further consideration admission on 30.3.2020.

[S. M. GAVHANE]

JUDGE

Dahibhate/-