

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

942 CIVIL APPLICATION NO.6863 OF 2019
IN FIRST APPEAL STAMP NO. 16467 OF 2019

**TATA AIG GENERAL INSURANCE CO.LTD.AURANGABAD
VERSUS
HIRABAI ASHOK AWARE & OTHERS**

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Advocate for Applicant : Ms. Sayali Tekale
h/f.Mr.S.G.Chapalgaonkar

Advocate for Respondent nos.1 to 6 :
Mr.Milind M. Patil

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**CORAM : V.L.ACHLIYA,J.
DATE : 03.01.2020**

P.C.

1] The applicant has moved this Application seeking condonation of 41 days delay in filing Appeal for the reasons set out in detail in the application.

2] Heard learned counsel for the applicant and the Advocate representing the respondent nos.1 to 6 i.e. claimants. The respondent no.7 though served absent.

3] In brief, it is the contention of the learned counsel for the applicant that delay caused in filing Appeal was occurred due to time spent in securing permission from the Head office of the Insurance Company, situated at Pune.

4] On the other hand, learned counsel for the respondent nos.1 to 6 opposed the application with contention that the reasons assigned cannot be accepted as sufficient cause to condone delay. It is submitted that the reasons assigned are false and concocted.

5] On due consideration of the submissions advanced in the light of unchallenged and uncontroverted pleadings made in the application assigning cause for condonation of delay, I am of the view that delay deserves to be condoned. If the delay is condoned, no serious prejudice would cause to the respondents. I am, therefore, inclined to allow the application. Accordingly, application is allowed in terms of prayer clause-B. Delay condoned. Appeal be registered.

6] Civil Application is disposed of in above terms.

[V.L.ACHLIYA]
JUDGE