

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

**19 CIVIL APPLICATION NO.12169 OF 2017
IN FAST/30851/2017 WITH CA/14493/2018 IN FAST/30851/2017**

**NEW INDIA INSURANCE CO. LTD., THR ITS BRANCH
MANAGER, AURANGABAD
VERSUS
MALANBAI BHIVLAL AUCHARMAL AND ORS**

Mr. S. B. Darvande h/f Mr. S. G. Chapalgaonkar, Advocate
for the applicant

Mr. B. V. Dhage, advocate for respondent Nos. 1 to 3.

**CORAM : S. M. GAVHANE, J.
DATED : 10.02.2020**

PER COURT :-

. Applicant-insurance company has filed this application to condone the delay of 07 days caused in filing appeal against judgment and award dated 21/04/2017 passed by the Member, MACT, Aurangabad in MACP No. 823 of 2012.

2. Mr. S. B. Darvande h/f Mr. S. G. Chapalgaonkar, learned counsel appearing for the applicants referring to the grounds mentioned in paragraph Nos. 3, 4 and 5 of the application submitted that time was spent in transmitting/giving file to the advocate representing Insurance Company to make necessary arrangement to file

appeal and to draw cheques of statutory deposit and therefore delay caused is unintentional and same may be condoned by allowing the application.

3. Learned counsel appearing for respondent Nos. 1 to 3 opposed to grant the application. Nobody is present for respondent No. 4.

4. Considering the submissions made by the learned counsel appearing for the applicant and the grounds mentioned in paragraph Nos. 3, 4 and 5 of the application, I find that applicant has shown sufficient cause to condone the delay and same needs to be condoned. Therefore, delay is condoned and application is allowed in terms of prayer clause (B).

5. Appeal be registered. After registering the appeal, it be placed for admission on 16/03/2020.

[S. M. GAVHANE, J.]