

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

914 CIVIL APPLICATION NO.12435 OF 2019
IN
FAST/30457/2019

UNITED INDIA INSURANCE CO. LTD., THR
ITS DIVISIONAL MANAGER, AURANGABAD
VERSUS
ROHIDAS BARKU PATIL AND ORS

...
Mr.A.G.Kanade, Advocate for applicant.
Mr.V.B.Patil h/f Mr. A.M.Sonkamble,
Advocate for R-1.

...

CORAM : V.L. ACHLIYA, J.
DATE : 23/01/2020

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ORAL ORDER:

1. The applicant/appellant has preferred this application for condonation of 42 days delay in filing appeal for the reasons set out in detail in the application.

2. Heard learned counsel for applicant and respondent No. 1. Mr.V.B.Patil holding for Mr. A.M.Sonkamble, learned counsel appears for respondent No. 1 and undertakes to file Vakil-Patra. Respondent Nos. 2 and 3 though served, absent.

3. On due consideration of submissions advanced in the light of unchallenged, uncontroverted pleadings made in the application, I am of the view the delay deserves to be condoned. No prejudice would be caused to respondents if delay is condoned as ultimately the case will be decided on merit. On the contrary, if delay is not condoned, serious prejudice would be caused to the applicant. I am, therefore, inclined to allow the application. Accordingly, the application is allowed in terms of prayer clause 'B'. Delay condoned. Appeal be registered subject to removal of office objections.

4. Civil Application disposed of in above terms.

[V.L.ACHLIYA]
JUDGE

KNP