

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

911 CIVIL APPLICATION NO.13901 OF 2019
IN FAST/35906/2019

THE NEW INDIA ASSURANCE CO. LTD., THR ITS
AUTHORIZED SIGNATORY, AURANGABAD
VERSUS
JANABAI SUKHDEO GAYAKE AND ORS

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Mr.D.P. Deshpande, Advocate for applicant.
Mr.Umakant Wagh, Advocate for respondent
nos.1 and 2.
Mr.C.K. Shinde, Advocate for respondent no.5.

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CORAM: V.L. ACHLIYA, J.
DATE : 26.02.2020

ORAL ORDER:

The appellant-applicant has moved this application seeking condonation of 46 days delay in filing the appeal for the reasons set out in detail in the application.

2. Heard learned counsel for the appellant. Mr.Wagh, learned counsel appears for respondent nos.1 and 2 and undertakes to file Vakalatnama within two weeks. Mr.Shinde, learned counsel appears for respondent no.5 and undertakes to file Vakalatnama. None present for respondent nos.3 and 4, though served.

3. Considering the submissions advanced

in the light of unchallenged and uncontroverted pleadings made in the application assigning cause for condonation of delay and delay being only 46 days, which cannot be termed as inordinate, I am of the view, the delay deserves to be condoned. Accordingly, the application is allowed in terms of prayer clause "B". Delay condoned. Appeal be registered.

4. Office objections if any be removed within two weeks from the registration of appeal.

5. Civil Application is disposed of in above terms.

[V.L. ACHLIYA]
JUDGE

SGA