

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**CIVIL APPLICATION No. 1379 OF 2019
IN
FIRST APPEAL (ST) No. 2206 OF 2019**

**Bharti Axa General Insurance
Company Ltd.**

through Mr. Ashwin Kumar Gawai

...Applicant

Vs.

Shri Sandeep Vitthal Marathe and Anr.

....Respondents

Mr. Nikhil Mehta i/b. M/s. KMC Legal Venture, for Applicant/
Appellant

Mr. Prakash Mishra i/b. Mr. Sandeep Mishra, for Respondent No.1

CORAM : R.D. DHANUKA, J.

DATE : 4th FEBRUARY, 2020

P.C.:

1. Mr. Mehta, learned counsel for the applicant states that there is no defense pleaded by the applicant under Section 149 of the Motor Vehicles Act, 1988 and seeks exemption of notice upon respondent no.2.

2. Accordingly, notice upon respondent no.2 is dispensed with.

3. Heard learned counsel for the applicant and learned counsel for respondent no.1.

4. There is a delay of 245 days in filing the first appeal.
5. Learned counsel for respondent no.1 has no objection if the delay is condoned. Statement is accepted.
6. Civil application is allowed and disposed of in terms of prayer clause (a)
7. No order as to costs.

(R.D. DHANUKA, J.)