

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

918 CIVIL APPLICATION NO.2955 OF 2021
IN FIRST APPEAL NO. 1106 OF 2013

BAJAJ ALLIANZ GENERAL INSURANCE CO. LTD.
VERSUS
RAMESH KALYANI BANSODE AND OTHERS

Mr.S.G. Chapalgaonkar, Advocate for the applicant.
Mr.A.P. Yenegure, Advocate for respondent No.1.

CORAM : N.J.JAMADAR,J.
DATE : 02.03.2021

PC :-

01. This is an application for setting aside order dated 09.09.2014 thereby dismissing the appeal against respondent No.3, owner of the vehicle, for default in taking steps to serve respondent No.3.

02. It is submitted that respondent No.3 was ex-parte before the Tribunal. In the application, the applicant-appellant has ascribed reasons in justification of prayer for condonation of delay and for restoration of the appeal. It would be in the interest of justice that the appeal is adjudicated on merits rather than default and technicalities. Hence, to advance cause of substantive justice, the application stands allowed in terms of prayer clauses (B) and (C).

03. The appeal stands restored qua respondent No.3.

[N . J . JAMADAR , J .]