

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

917 CIVIL APPLICATION NO.8778 OF 2021
IN FAST/8458/2020 WITH CA/8780/2021 IN FAST/8458/2020

SHIVAJI MARUTIRAO UNDE

VERSUS

THE BRANCH MANAGER,
THE NEW INDIA ASSURANCE CO. LTD.,AND ORS

...

Advocate for Applicant : Mr V.V. Tarde
Advocate for Respondent No. 1: Ms Sayali Tekale h/f Mr S.G.
Chapalgaonkar

CORAM : SHRIKANT D. KULKARNI, J.

DATE : 23rd DECEMBER, 2021

PER COURT :

1. Heard Mr Tarde, learned counsel for the applicant and Ms Sayali Tekale holding for Mr S.G. Chapalgaonkar, learned counsel for respondent No.1.
2. Respondent Nos. 2 to 6 though duly served remained absent.
3. Respondent Nos. 5 and 6 are stated to be the husband and wife and both are residing together at village Giralgaon, Ta. Bhoom, Dist. Osmanabad. The service is good and valid in respect of respondent Nos. 5 and 6.
4. There seems to be delay of 421 days in preferring the first appeal.

5. For the reasons stated in the application for condonation of delay, more particularly para No. 4 and looking to the legal points involved in the proposed appeal, the delay needs to be condoned in the interest of justice.

ORDER

- (i) The application is hereby allowed in terms of prayer clause (A).
- (ii) The Registry to make scrutiny of the appeal as per the procedure and thereafter it be numbered and placed before the Court for admission.
- (iii) The Civil Application is disposed of.

[SHRIKANT D. KULKARNI, J.]

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