

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

**925 CIVIL APPLICATION NO. 12262 OF 2019
IN FIRST APPEAL ST NO. 27085 OF 2019**

**SHRIRAM GENERAL INSURANCE CO. LTD. THR ITS
AUTHORIZED OFFICER
VS
SYED SAMDANI SYED JEELANI AND ORS**

Mr. Vinayak Narayan Upadhye, Advocate for the applicant
Mr. Quadri Taher Ali, Advocate for respondent No. 1

**CORAM : V. L. ACHLIYA, J.
DATE : 22-01-2021**

P. C.

. The applicant has moved this application seeking condonation of 127 days delay in filing appeal for the reasons set out in detail in application.

2. Heard learned counsel for the applicant and the counsel representing the respondent No. 1. Respondent Nos. 2 and 4 though served, are absent. Respondent No. 4 reported to be not residing on the given address. In that view the application may be heard and decided in absence of respondent No. 4. It is submitted that the appellant has good case to succeed in appeal. In case, delay is not condoned serious prejudice may cause to the appellant.

3. On due consideration of the submissions advanced in

the light of unchallenged and uncontroverted pleadings made in the application assigning cause for condonation of delay, I am of the view that delay deserves to be condoned. In case, delay is not condoned, there is every likelihood that a meritorious matter may be rejected for technical reasons. Hence, the application is allowed in terms of prayer clause-A.

4. The appeal be registered.
5. The application is disposed of in above terms.

[V. L. ACHLIYA, J.]