

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

**CIVIL APPLICATION NO. 3548 OF 2019
IN
FIRST APPEAL (ST) NO. 22589 OF 2019**

Suresh Jadhav & anr.

...Applicants/
Appellants

Versus

The Manager, United Indina Insurance Co.
Ltd. & anr.

...Respondents

Mr. Abhijit Adagule, for the Applicants/Appellants.

CORAM: N. J. JAMADAR, J.

DATED : 8th DECEMBER, 2021

PC:-

1. Heard the learned Counsel for the applicants.
2. The applicants have filed affidavit-of-service.
3. Respondent nos.1 and 2 have been served with the notice of application for delay condonation. None appears for respondent nos.1 and 2.
4. The learned Counsel for the applicants invited the attention of the Court to the order passed by this Court on 9th January, 2020 in CA No.1551 of 2019 in First Appeal No.3594 of 2018, whereby the delay in preferring the appeal against the judgment and award in a companion petition filed by pillion rider, has been condoned.

5. In the instant application, the applicants have assigned reasons in paragraph 8 of the application. To my mind, the applicants have made out a sufficient cause for condonation of delay. In any event, there is no intentional delay or lack of *bona fide*. Thus, to advance the cause of substantive justice, the application stands allowed.

6. The delay in preferring appeal stands condoned.

7. The appeal be registered.

8. The application stands disposed of.

[N. J. JAMADAR, J.]