

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 2686 OF 2021
IN
FIRST APPEAL (STAMP) NO. 1931 OF 2021

The New Indian Insurance Co. Ltd.
Thr. Divisional Officer

... Applicant/
Appellant

vs.

Digambar Himmatrao Malode & Anr.

... Respondents

Ms. Deepika Prabhala i/by Res Juris, for the Applicant/Appellant.

Mr. Pritesh K. Bohade, for the Respondent.

CORAM : N. J. JAMADAR, J.
DATE : 20th OCTOBER, 2021

P.C.:

1. Heard the learned counsel for the applicant. Issue notice to the respondents. The learned counsel waives notice for respondent No.1- original claimant.

2. This application is preferred to condone the delay of 268 days in preferring the appeal against the judgment and award in MACT No. 461 of 2015 passed by learned Member MACT, Nashik on 13th December, 2019.

3. There are averments in the application which make out a sufficient cause for condonation of delay. It is trite that an application for condonation of delay should receive liberal

consideration so as to advance the cause of substantive justice. The reasons ascribed by the applicant in para Nos. 4 to 7 of the application do make out a sufficient cause.

4. Thus, to advance the cause of justice, the application stands allowed in terms prayer clause (b).

5. The delay in preferring the appeal stands condoned.

6. Application stands disposed of.

(N. J. JAMADAR, J.)