

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

**Civil Application No.2383 of 2016  
In  
First Appeal (Stamp) No.8210 of 2016**

Reliance General Insurance Co. Ltd.  
Through Its manager ... Applicant.  
Vs.  
Najeer S. Patel & Anr. ... Respondents.

...  
Ms. Dipika Prabhala i/b Res Juris for applicant.  
Mr. Jayant Bardeskar for respondents.  
...

**CORAM : PRITHVIRAJ K. CHAVAN, J.**

**DATE : 1<sup>st</sup> FEBRUARY, 2021.**

**P.C.:**

1. This is an application for condonation of delay of 43 days which has occurred in filing the appeal.

2. It is contended by the learned Counsel for the insurer that after the judgment was delivered on 29<sup>th</sup> August 2015, application for certified copies was immediately submitted on 1<sup>st</sup> September 2015. The certified copies of the impugned judgment and award were received by the learned Counsel for the insurer on 30<sup>th</sup> October 2015. Limitation would start from that date and

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therefore, there is delay of 43 days as, it took time for receiving the sanction and to forward the documents to the learned counsel appearing in the High Court for drafting the memo of appeal.

3. Learned Counsel for respondent no.1 objects prayer of condonation of delay.

4. Respondent No.2 was ex-parte before the tribunal as is evident from paragraph no.5 of the impugned judgment and award.

5. As such, for reasons stated in the application, the delay is condoned.

6. The application stands disposed of.

7. No order as to cost.

**(PRITHVIRAJ K.CHAVAN J.)**