

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

**CIVIL APPLICATION NO. 1215 OF 2019
IN
FIRST APPEAL (STAMP) NO. 8572 OF 2019**

HDFC Ergo General Insurance Company Ltd. ...Applicant

Versus

Ashwini Abhay Sawant & Ors. ...Respondents

.....

Mr. Viraj Hake i/b Mr. Abhijit Kulkarni for the Applicant.
Mr. Rushabh Vidyarthi i/b Adv. Saumen Vidyarthi for the Respondents.

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CORAM : MADHAV J. JAMDAR, J.

DATE : 22nd DECEMBER, 2021

P.C. :

. Heard Mr. Viraj Hake learned counsel for the Applicant and Mr. Rushabh Vidyarthi for Respondent Nos. 1 to 5.

2. This civil application is for condonation of delay of 88 days in filing the first appeal. The delay is explained in Paragraph No. 3 of the present civil application.

3. Mr. Viraj Hake, learned counsel for the Applicant submits that reasons given for delay are sufficient, whereas Mr. Rushabh Vidyarthi submits that the reasons given are not sufficient.

4. The impugned judgment and award is dated 9th April, 2018 and the certified copy was applied on 5th May, 2018 and the same was received on 23rd October, 2018. Thereafter, opinion was sought from learned counsel, who appeared in the tribunal and after the favourable opinion, the file was sent to corporate office for further approval and after clearance from the corporate office, papers were sent to the advocates at Mumbai on 8th February, 2019. Thereafter immediately steps were taken for filing the appeal and the same was filed on 19th March, 2019. The sufficient reasons are set out in the civil application and therefore the civil application is allowed in terms of prayer Clause (b).

5. Civil application stands disposed of accordingly.

(MADHAV J. JAMDAR, J.)