

Santosh

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

**CIVIL APPLICATION NO. 1133 OF 2016
IN
FIRST APPEAL (ST) NO. 12856 OF 2015**

SANTOSH
SUBHASH
KULKARNI

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Date: 2021.10.21
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The New India Insurance Co. Ltd. ...Appellant
Versus
Ramdas Gopalrao Suryawanshi & anr. ...Respondents

None for the Appellant.
Ms. Riddhi Natekar, h/f Yuvraj Narvankar, for the
Respondents

**CORAM: N. J. JAMADAR, J.
DATED : 14th OCTOBER, 2021**

PC:-

1. This is an application for condonation of delay of 42 days in preferring the appeal against the judgment and award dated 14th November, 2014.
2. Perused the averments in the application.
3. In paragraph 3 of the application, the applicant – original opponent no.2 has ascribed reasons in justification of the delay. A sufficient cause for condonation of delay is made out. The delay does not seem to be intentional. Nor there is lack of bonafide. It is trite that an application for condonation of delay is not receive liberal consideration so as to advance the cause of substantive justice.

4. In view of the above, I am persuaded to condone the delay so as to advance the cause of substantive justice.

5. Hence the following order:

: O r d e r :

- (i) The application stands allowed in terms of prayer clause (a).
- (ii) The delay in preferring appeal stands condoned.
- (iii) Appeal be registered.

[N. J. JAMADAR, J.]