IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 3784 OF 2018 (FOR DELAY)
AND
CIVIL APPLICATION NO. 3785 OF 2018 (FOR STAY)
IN
FIRST APPEAL (ST) NO. 16916 OF 2018

Cholamandalam M.S.General Insurance Co.Ltd. ...Applicant
vs.
Smt.Vatsalabai Tryambak Dangare & Ors. ...Respondents

Ms.Deepika Prabhala i/b. Mr.Res Juris for Applicant.
Mr.Haridas R.M. for Respondent No.1.

CORAM : BHARATI DANGRE, J.

DATED : 27 SEPTEMBER 2021

P.C. :

. All the Respondents are served. Respondent No.1 is represented by Shri Haridas. Respondent Nos.2 to 4, though served, has not put an appearance through their counsel.

2 Heard learned Counsel for the Applicant and Respondent No.1. Perused the application. The first appeal challenge the judgment dated 19 August 2017 in Motor Accident Claim Petition No.5/2013 where the compensation was claimed on account of a death in an accident.

2 On perusal of the application, paragraphs 4 to 7 set out the reasons for the delay which is stated to be 120 days.

3 Since the application set out justifiable reason explaining the

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delay which has occurred in filing of the first appeal, the delay deserve to be condoned. In the circumstances, the prayer for condonation of delay is granted. Civil Application No. 3784/2018 is made absolute in terms of prayer clause (b).

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4 Issue notice to Respondent Nos.2 to 4. Learned Counsel waives notice for Respondent No.1. Notice be made returnable on 29 October 2021. The Appellant is directed to take steps to serve the Respondents by private service and file an affidavit of service by the next date.

(SMT. BHARATI DANGRE, J.)