

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

**CIVIL APPLICATION NO. 1041 OF 2015
IN
FIRST APPEAL (STAMP) NO. 18577 OF 2014**

Anita Ananta Bhoir	... Applicant
Vs.	
Gurunath D. Harad & Anr.	... Respondents

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Ms. Amrin Aslam Khan i/b. Mr. Avinash Gokhale for the Applicant.
None for the Respondents.

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CORAM: MADHAV J. JAMDAR, J.

DATE : 18th SEPTEMBER, 2021.

P. C. :-

1. Heard Ms. Amrin Khan for the applicant.
2. None appears for the respondents.
3. This application is taken out for condonation of delay of 391 days in preferring this First Appeal. The First Appeal is filed challenging award dated 24th January, 2013 passed by learned District Judge-2 and Member, M.A.C.T., Kalyan in M.A.C.P No. 132 of 2006 by which the said M.A.C.P was partly allowed.
4. It is the contention of Ms. Amrin Khan, learned Advocate appearing for the applicant that applicant is illiterate lady and suffering from financial constraints. She was earlier working as vegetable vendor and earning very modest income. Due to accident, she is not able to do her work. Therefore, there is delay in preferring

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the First Appeal. The delay has been adequately explained in the Civil Application.

5. Learned Advocate appearing for the respondent No.1-National Insurance Company Limited sought two weeks time to file reply on 26th September, 2016 and the said prayer was granted by this Court. However, record shows that till date no reply is filed therefore, the averments in the Civil Application have remained uncontroverted.

6. Today at the time of hearing of the Civil Application none appears for the respondent.

7. Civil Application is allowed in terms of prayer clause (a) and disposed of accordingly.

(MADHAV J. JAMDAR, J.)