

Santosh

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

**INTERIM APPLICATION NO. 2738 OF 2021
IN
FIRST APPEAL NO. 363 OF 2019**

SANTOSH
SUBHASH
KULKARNI

Digitally signed by
SANTOSH SUBHASH
KULKARNI
Date: 2021.10.07
17:46:23 +0530

Bajaj Alliance General Insurance Co. Ltd.,
Pune

...Applicant

Versus

Smt. Asha Kisan Jadhav & ors.

...Respondents

Ms. Yogita Deshmukh Chitnis, for the Applicant/Appellant.
Ms. Riddhi Natekar, h/f Yuvraj Narvankar, for the
Respondents.

CORAM: N. J. JAMADAR, J.

DATED : 6th OCTOBER, 2021

PC:-

1. Heard Ms. Deshmukh-Chitnis, the learned Counsel for the appellant/applicant.
2. This application is preferred seeking restoration of First Appeal No.363 of 2019, which came to be dismissed for not filing the paper-book within the time stipulated by order dated 1st March, 2019. There is a delay of 562 days in taking out the application for restoration.
3. Ms. Natekar, the learned Counsel for the respondents – original claimants, states that the respondents have no objection in condoning the delay and restoring the First Appeal No.363 of 2019 to file.

4. In view of the consent of the respondents and also to advance the cause of substantive justice, the application stands allowed in terms of prayer clause (b) and (c).

5. The delay in taking out the application stands condoned. The order dated 1st March, 2019, dismissing the appeal for not filing the paper-book within the stipulated period stands set aside.

6. First Appeal No.363 of 2019 stands restored to file.

[N. J. JAMADAR, J.]