

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

935 CIVIL APPLICATION NO.3501 OF 2018
IN FAST/2197/2018

NEW INDIA ASSURANCE CO. LTD., THR ITS AUTHORIZED SIGNATORY,
AURANGABAD
VERSUS
VILAS RANBA DOUND AND ORS

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Advocate for Applicant : Mr. Deshmukh Mohit R.
Advocate for Respondents : Mr. Mr. R.S. Shinde h/f. P. N. Nagargoje

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CORAM : Y.G. KHOBRAGADE, J.
DATE : 16th November, 2022

PC.:-

1. The applicant-Insurance Company prayed for condonation of delay of 38 days caused in lodging appeal against the judgment and award dated 29.08.2017 passed by the learned M.A.C.T., Ambejogai in M.A.C.P No.27/2015 on the ground of administrative exigencies. The learned counsel appearing for the non-applicants have not seriously resisted the application. Since the delay of 38 days is caused in lodging the appeal because of administrative exigencies, therefore, the said delay needs to be condoned by exercising discretionary powers contemplated under Section 5 of the Limitation Act. In view of above, I proceed to pass the following order:

ORDER

- I) The Civil Application is hereby allowed.
- II) The delay of 38 days caused in filing appeal is hereby condoned.
No order as to costs.
- III) The applicant shall not be entitled for the interest for the delayed period.
- IV) Office is directed to register the first appeal and place it before the Court for further action.

[Y.G. KHOBRADE, J.]