

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

936 CIVIL APPLICATION NO.3563 OF 2018
IN FAST/5964/2018 WITH CA/3564/2018 IN FAST/5964/2018

ROYAL SUNDARAM ALLIANCE INSURANCE CO. LTD., THR ITS AUTHORIZED
OFFICER.
VERSUS
RAVIKANT MONA GAVIT AND ANR

...
Advocate for Applicant : Mr. Deshpande Avinash S.
...

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

PC.:-

Heard the learned counsel appearing for the applicant-Insurance Company at length. Though, non-applicant nos.1 and 2 i.e. the original claimants and the jeep owner are served with the notice but they failed to appear in the matter.

2. The learned counsel appearing for the applicant-Insurance Company canvassed that on 24.08.2015 the M.A.C.T. passed the impugned judgment and award but the procedure required to be followed by the applicant for filing the appeal and necessary sanction from the higher authorities is required to be obtained, therefore, the delay of 824 days is caused in lodging the appeal which is *bona fide* and substantial. The cause of

the present applicant was not rebutted on behalf of the non-applicants. Therefore, the said delay is liable to be condoned. Hence, I proceed to pass the following order:

ORDER

- I) The Civil Application is hereby allowed.
- II) The delay of 824 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.]