

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

CIVIL APPLICATION NO.7507 OF 2007 IN FAST/14521/2007

THE NEW INDIA ASSURANCE CO. LTD., AURANGABAD
THROUGH ITS BRANCH MANAGER, DHULE WAMAN BHAMARE
VERSUS

SMT. MADHURI @ MEGHA W/O. PRAVIN BHAMRE
AND OTHERS

....
Mr. S.S. Dargad, Advocate h/f Mr. Mr. S.G. Chapalgaonkar,
Advocate for the applicant-appellant
Mr. P.P. Pangal, Advocate h/f Mr. C.R. Deshpande, Advocate for
respondent no.2

....

CORAM : SHRIKANT D. KULKARNI, J.

DATE : 29th MARCH, 2022

PER COURT:-

1. It is an application for condonation of delay moved by the applicant.
2. Heard Mr. Dargad holding for Mr. Chapalgaonkar, learned counsel for the applicant / insurance company and Mr. P.P. Pangal holding for Mr. C.R. Deshpande, learned counsel for respondent no.2. Respondent nos. 1 and 3 though duly served with notices of this delay condonation application, remained absent when the matter is called out. Respondent no.4 deleted before the Tribunal. So far as the service to respondent no.5, he is stated to be the owner of the vehicle. The applicant seems to have filed civil

application o. 15585 of 2013 in civil application no. 7507 of 2007 for exemption of service for service for respondent no.5 in this delay condonation application.

3. Having considered the submissions of both the sides and looking to the small volume of delay of 22 days, and looking to the old nature of the appeal on stamp number, it is necessary to condone the delay in the interest of justice though respondent no.5 / owner of the vehicle is yet to be served.

ORDER

(i) The application is hereby allowed in terms of prayer clause (B).

(ii) The Registry is directed to make scrutiny of the appeal as per procedure and it be numbered and place before the Court for admission.

(iii) The civil application is accordingly disposed of.

[SHRIKANT D. KULKARNI]
JUDGE

S.P. Rane