

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

943 CIVIL APPLICATION NO.3477 OF 2022
IN X-OBJST/32867/2021

SURESH PANDHARINATH PAWAR
VERSUS
ALI AHAMAD HYADALI CHAUDHARI AND ANR

Mr J.V. Patil, Advocate for applicant
Mr S.S. Patil, Advocate for respondent no.2

CORAM : SHRIKANT D. KULKARNI, J.

DATE : 11th March, 2022

PER COURT :

1. Mr J.V. Patil, learned Advocate for applicant undertakes to remove office objections forthwith.
2. Heard Mr J.V. Patil, learned Advocate for applicant and Mr S.S. Patil, learned Advocate for respondent no.2/Insurance Company.
3. It is revealed that the Insurance Company has preferred appeal vide First Appeal No.2413 of 2020. The applicant/claimant is entitled to file Cross Objection, but there was delay in preferring the Cross Objection.
4. Mr S.S. Patil, learned Advocate for respondent no.2 opposed to condone the delay and entertain the Cross Objection. However, by looking to the nature of dispute arising out of accident claim and considering that Insurance Company has already filed the appeal, it would be just and proper to allow the applicant to file Cross Objection by condoning the delay.

ORDER

- (i) The Civil Application is allowed in terms of prayer clauses (A) and (B).
- (ii) The Registry to make scrutiny of the Cross Objection as per procedure and tag it along with First Appeal No.2413 of 2020.

(iii) The Civil Application is accordingly disposed of.

(SHRIKANT D. KULKARNI, J.)

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