

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

44 CIVIL APPLICATION NO.13987 OF 2019
IN FAST/36658/2019

CHOLAMANDALAM GENERAL INSURANCE CO. LTD.
VERSUS
SANDIPAN PANDHARINATH ADHAV & ANOTHER

...
Advocate for Applicant : Mr.S.G.Chapalgaonkar
Advocate for Respondent no.1 : Mr.L.B.Palod
...

CORAM : S.G.DIGE, J.
DATE : 18.07.2022

P.C. :

1] Heard the learned counsel for the applicant and learned counsel for the respondent no.1 – original claimant.

2] The learned counsel for the applicant submits that there is delay of 49 days in filing First Appeal. The applicant has tried to serve on respondent no.2 but the notice was not served on respondent no.2. During trial also, respondent no.2 was also not present, hence, requested to allow the application.

3] The learned counsel for respondent no.1 submits that respondent no.1 is the original claimant. The

matter is filed in the year 2019. The original claimant has not received compensation amount till the date. The matter was proceeded *ex parte* before the trial Court against respondent no.2. Respondent no.1 has no objection to condone the delay, hence, requested to allow the application.

4] Considering the submissions of both learned counsel and the reasons mentioned in the application, delay of 49 days for filing First Appeal is condoned. Appeal be registered subject to removal of office objections, if any.

5] Civil Application is disposed of accordingly.

[S.G.DIGE]
JUDGE

DDC