

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

**908 CIVIL APPLICATION NO.14843 OF 2019
IN
FIRST APPEAL STAMP NO. 37397 OF 2019**

**NEW INDIA ASSURANCE CO. LTD., THR ITS AUTHORIZED
SIGNATORY, AURANGABAD
VERSUS
BALASAHEB ASARAM KHENGAT AND ANR.**

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**Mr. S. S. Dargad, Advocate h/d Mr. Ajit B. Kadethankar, Advocate for
the Applicants**

Mr. Deepak S. Manorkar, Advocate for Respondent No.1

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CORAM : SHRIKANT D. KULKARNI, J.

DATE : 8th MARCH, 2022

PER COURT : -

1. Mr. S. S. Dargad, Advocate holding for Mr. Ajit B. Kadethankar, learned counsel for the appellant submits that there is delay of 73 days in preferring the appeal, because of completing procedural aspects like approval etc., the delay was not intentional. He, therefore, urged to condone the delay.

2. Mr. Deepak S. Manorkar, learned counsel for respondent no.1 raised strong objection to allow this application. He contended that no sufficient reasons are assigned in this application for condonation of delay. He, therefore, urged to dismiss this application.

3. Mr. Rahul B. Temak, learned counsel for respondent no.2 remained absent when the matter is called out.

4. For the reasons stated in the application for condonation of delay, more particularly paragraphs 11 to 16, the delay needs to be condoned in the interest of justice. There is only 73 days delay. Hence, the following order is passed:

ORDER

(a) The civil application is hereby allowed in terms of prayer clauses (A) & (B).

(b) The Registry to make scrutiny of the appeal as per the procedure and thereafter, it be numbered and placed before the Court for admission.

(c) The civil application is accordingly disposed of.

(SHRIKANT D. KULKARNI, J.)