

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

917 CIVIL APPLICATION NO.13453 OF 2021
IN X-OBJST/42043/2017 WITH FA/1862/2014

KAVITA RAJARAM GAIKWAD AND OTHERS

VERSUS

BAJAJ ALLIANZ GENERAL INSURANCE CO. LTD.,
THR ITS AUTHORIZED SIGNATORY
AURANGABAD AND ANR

...

Advocate for Applicants : Mr Y.B. Bolkar
Advocate for Respondent No. 1 : Mr S.D. Hussain h/f Mr S.G. Chapalgaonkar
Advocate for Respondent No. 2 : Mr A.D. Kasliwal (absent)

CORAM : SHRIKANT D. KULKARNI, J.

DATE : 10th February 2022

PER COURT :

1. It is an application for condonation of delay moved by the applicants/original claimants in Cross Objection preferred by them.
2. Heard Mr Bolkar, learned counsel for the applicants and Mr S.D. Hussain holding for Mr S.G. Chapalgaonkar, learned counsel for respondent No.1.
3. Mr A.D. Kasliwal, learned counsel for respondent No. 2/Driver and owner of the vehicle is neither available virtually nor present in the Court Hall when the matter is called out.
4. Mr S.D. Hussain holding for Mr S.G. Chapalgaonkar, learned counsel for respondent No.1 strongly opposed to allow this application for condonation of delay. He submits that the delay caused by the applicants in preferring the Cross Objection is inordinate. No reasons are assigned by the applicants for condonation of delay.

5. On going through the papers, it is noticed that there is delay of 316 days less than a year in filing Cross Objection in First Appeal No. 1862/2014.

6. For the reasons stated in the application for condonation of delay para Nos. 3 to 5, it is necessary to condone the delay for the ends of justice.

ORDER

- (i) The application is hereby allowed in terms of prayer clause (B).
- (ii) The Registry to make scrutiny of the Cross Objection as per the procedure and thereafter, it be numbered and placed before the Court along with First Appeal No. 1862/2014 on 10.03.2022.

(SHRIKANT D. KULKARNI, J.)

mta