

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION**

**CIVIL APPLICATION NO.1502 OF 2018  
WITH  
CIVIL APPLICATION NO.1503 OF 2018  
IN  
FIRST APPEAL (STAMP) NO.740 OF 2018**

Bajaj Allianz General Insurance  
Company Ltd.

...Applicant

Versus

Smt. Deokabai Prakash Shinde  
and Ors.

...Respondents

....

Ms Yogita Deshmukh Chitnis for the Applicant.

Mr. Sarfaraj Shaikh i/b. Mr. Sachin Gite for Respondent No.5.

**CORAM : ANIL S. KILOR, J.**

**DATED: 28<sup>th</sup> JANUARY, 2022.**

**P.C.:-**

1. Heard learned counsel for the respective parties.
2. Ms Yogita Deshmukh, learned counsel for the Applicant points out that there is a delay of 45 days in filing the first appeal challenging the judgment and award dated 15/07/2017 passed by the learned Motor Accident Claims Tribunal, Nashik, in M.A.C.P. No.420 of 2010.
3. It is submitted that the delay caused in filing the first appeal is

because of the administrative procedure, which requires to be followed for obtaining legal opinion and approval for filing appeal. It is submitted that the Applicant has a good case on merit. It is further submitted that the delay is not intentional but bonafide.

4. On the other hand, learned counsel for the Respondent No.5 has no serious objection, if the application is allowed.

5. After going through the application and the reasons stated in the application and more particularly, in absence of any reply opposing or disputing the facts stated in the application for condonation of delay, I am of the opinion that sufficient cause has been shown for condonation of delay. Accordingly, I pass the following order:-

**ORDER**

- (i) The application for condonation of delay is allowed;
- (ii) The delay caused in filing First Appeal is condoned. The office is requested to register the First Appeal and place the same before the Court for admission.

(ANIL S. KILOR, J.)