

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

**CIVIL APPLICATION NO. 1194 OF 2019
IN
FIRST APPEAL (ST) NO. 3166 OF 2019**

Oriental Insurance Co.Ltd.

...Applicant

vs.

Mr.Abdul Karim Ibrahim Wagale & Anr.

...Respondents

Ms.S.S. Dwivedi for Applicant.

CORAM : ANIL S. KILOR, J.

DATED : 25 JANUARY 2022

PC. :

Heard learned Counsel for the Applicant. None for Respondent Nos.1 and 2, though served.

2. Ms.Dwivedi, learned Counsel for the Applicant points out that there is a delay of 91 days in filing the first appeal challenging the judgment and order dated 2 May 2018 passed by the learned Motor Accident Claims Tribunal, Khed in MACP No.11 of 2015.

3. Learned Counsel appearing for the Applicant states that there are various departments in the Applicant office and the process at administrative level needs to be followed and completed before filing the appeal. It is further submitted that the time consumed in completing the above referred administrative process, is the cause for the delay in filing the appeal.

4. It is further submitted that the delay is not intentional but bonafide and therefore, it is prayed that the delay may be condoned.

5. No reply is filed by the Respondents opposing the application or disputing the fact stated in the application. Accordingly, I am of the opinion that the Applicant has shown sufficient reason for condonation of delay and therefore, the delay caused in filing the appeal needs to be condoned.

6. Accordingly, I pass the following order :

ORDER

(i) The application for condonation of delay is allowed. The delay caused in filing the first appeal is condoned.

(ii) The office is requested to register the first appeal and place the same before the court for admission.

(ANIL S. KILOR, J.)