

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 3041 OF 2020
AND
INTERIM APPLICATION NO. 3043 OF 2020
IN
FIRST APPEAL (ST) NO. 4405 OF 2020

United India Insurance Co.Ltd. ...Applicant
vs.
Mrs.Gouri Gorakh Mali (Bhale) & Ors. ...Respondents
Mr.Amol Gatne for Applicant.

CORAM : ANIL S. KILOR, J.

DATED : 25 JANUARY 2022

P.C. :

INTERIM APPLICATION NO. 3041 OF 2020

Heard Shri Gatne, learned Counsel appearing for the Applicant. None for the Respondents, though served.

2. Shri Gatne, learned Counsel for the Applicant points out that there is a delay of 342 days in filing the first appeal challenging the judgment and award dated 6 December 2018 passed by the Member, M.A.C.T. at Barshi, District Solapur in MACP No.23 of 2016

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. Shri Gatne, learned Counsel appearing for the Applicant, submits that the delay is unintentional 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.

INTERIM APPLICATION NO. 3043 OF 2020

1. Heard Shri Gatne, learned Counsel appearing for the Applicant.

2. Shri Gatne states that the decretal amount has already been deposited before the Tribunal and in that view of the matter, he prays for

stay to the impugned judgment and decree.

3. In view of the fact that the decretal amount has already been deposited, stay is granted to the impugned judgment and award dated 6 December 2018. Liberty is granted to the Respondents to apply for withdrawal of amount, if so desire.

(ANIL S. KILOR, J.)