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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO.2916 OF 2016
IN
FIRST APPEAL (ST) NO. 14859 OF 2016**

The New India Assurance Co. Ltd. ...Applicant
Versus
Smt. Lata @ Shashikala Subhash Aher & Ors ...Respondents

Mr. Ketan Joshi, for the Applicant/Original Appellant.
Mr. Akshay H. Bankapur, i/b. Mr. Sandeep Shinde, for the
Respondents Nos. 1 and 4.

**CORAM Madhav J. Jamdar, JJ.
DATED: 26th February 2022**

PC:-

1. Heard Mr. Ketan Joshi, learned Advocate appearing for the Applicant and Mr. Akshay Bankapur, the learned Advocate appearing for the Respondents.

2. There is delay of 58 days in filing the First Appeal. The First Appeal challenges the judgment and award dated 1st December 2015 passed by the learned Member, MACT Niphad in MACP No.17/2011.

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3. Mr. Ketan Joshi, the learned Advocate appearing for the Applicant submitted that due to the difficulties which are set out in the Civil Application, delay of 58 days caused in filing the Appeal. He submitted that the reasons given are adequate and sufficient and therefore, the delay be condoned.

4. Mr. Akshay Bankapur, the learned Advocate appearing for the Respondents Nos. 1 to 5, i.e. original claimants submitted that the reasons set out in the Civil Application are not sufficient and therefore, Civil Application be rejected.

5. Perusal of the Civil Application shows that after obtaining opinion from the learned Advocate who has appeared in the matter, the same was forwarded to the Regional Office, Mumbai and the decision was taken to file the Appeal. The reasons for condonation of delay of 58 days are adequately set out in the Civil Application therefore, for the reasons set out in the Civil Application, the Civil Application is allowed in terms of prayer clause (a).

(Madhav J. Jamdar, J)