

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

**Civil Application No. 3451 of 2017**

**In**

**First Appeal (st) No. 17339 of 2017**

**With**

**Civil Application No. 3452 of 2017**

**In**

**First Appeal (st) No. 17339 of 2017**

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| The New India Insurance Co. Ltd.        | ... | Applicant   |
| v/s.                                    |     |             |
| Shri Balasaheb Dattatray Ramsing & ors. | ... | Respondents |

Mr. Milind More for the applicant.

**CORAM : Anil S. Kilar, J**

**19<sup>th</sup> January 2022**

**P.C.**

Heard learned counsel for the applicant. None for the Respondents.

2. The learned counsel for the applicants submits that there is delay of 56 days in filing appeal to challenge the Judgment and Award dt.03/01/2017 passed by the learned Member, Motor Accident Claim Tribunal, Baramati in Motor Accident Claim Petition No.125/2015.

3. It is submitted that the sufficient cause is shown in the application particularly in Paragraph-2 onwards which is sufficient for condonation of delay.

4. Though the office note dt.06/08/2021 shows that Respondents 1 to 4 are duly served, today when the matter is called out, none appears for the respondents.

5. After going through the application, I am of the view that sufficient cause has been shown in Paragraphs 2 to 5 of the application. In that view of the matter, the delay caused in filing First Appeal is condoned. 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)**