

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

CIVIL APPLICATION NO.609 OF 2019

IN

FIRST APPEAL (STAMP) NO.386 OF 2018

IFCO TOKYO General Insurance Co.

Ltd.

...Applicant

Versus

Smt. Vasudha Ravijit Teke and Ors.

...Respondents

....

Mr. Viraj Hake i/b. Mr. Abhijit P. Kulkarni for the Applicant.

Mr. Sujay Hemant Gangal for Respondent Nos.1 to 5.

CORAM : ANIL S. KILOR, J.

DATED: 28th JANUARY, 2022.

P.C.:-

1. Heard Mr. Hake, learned counsel for the Applicant and Mr. Gangal, learned counsel for Respondent Nos.1 to 5. None for Respondent No.6, though served.

2. Learned counsel for the Applicant points out that there is a delay of 22 days in filing the First Appeal challenging the judgment and award dated 14/03/2018 passed by the learned Member, Motor Accident Claims Tribunal, Baramati in Motor Accident Claim Application No.119 of 2015.

3. It is submitted that the delay has been caused for the reason that court fee required for filing of appeal was not readily available and the time spent in the said process arranging the court fee is the cause for delay in filing appeal.

4. On the other hand learned counsel for the Respondents opposes the present application.

5. After going through the application and after considering the reasons stated in the application and in view of the fact that there is no reply filed to the present application opposing or disputing the facts stated in the application for condonation of delay, I am of the considered view that sufficient cause has been shown for condonation of delay in filing the appeal and therefore, 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.)