

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO. 1096 OF 2018
IN
FIRST APPEAL (ST) NO.29822 OF 2017**

The New India Assurance Co. LtdApplicant

Versus

Hirabai Namdeo Gavali & Ors.Respondents

Mr. Sandeep S. Jinsiwale, Advocate for applicant.

Mr. R.S. Pawar, Advocate for Respondent Nos. 1 to 8.

CORAM : S. G. DIGE, J.

DATE : 14th DECEMBER, 2022.

P.C. :

1. Heard learned counsel for applicant. Learned counsel for applicant submits that there is 203 days delay for filing the appeal. Applicant is the insurance company. There is procedure to take guidance from the their authorities for filing the appeal. Due to said procedure, applicant could not file within stipulated time and delay is caused.

2. The applicant is challenging the order passed by

the Tribunal which is illegal, as Tribunal has not considered the evidence led by the applicant and requested to allow the application.

3. Considering the submissions of learned counsel for applicant and reasons mentioned in application.

4. Application is allowed and disposed of.

5. Delay of 205 days for filing the appeal is condoned.

Appeal be registered.

(S. G. DIGE, J.)