

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 2400 OF 2017
IN
FIRST APPEAL (ST) NO. 35893 OF 2016

The New India Assurance Company Limited ...Applicant

Vs.

Mr. Ashish Prabhakar Patil & Anr. ...Respondents

.....

Mr. S. M. Dange, for the Applicant.

Mr. Yogendra M. Pendse, for the Respondents.

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CORAM : SHRIKANT D. KULKARNI, J.

DATE : 21 JUNE, 2022

P.C.

. It is an application for condonation of delay moved by the Applicant – Insurance Company.

2. Heard Mr. S. M. Dange, learned counsel for the Applicant / Insurance Company and Mr. Yogendra Pendse, learned counsel for the Respondent No.1 – original claimant. Respondent No.2 seems to be a formal party.

3. There is a delay of 69 days in preferring an appeal. Mr. Pendse, learned counsel for Respondent No.1 has strongly opposed to condone the delay. By looking to the nature of dispute, it is necessary to condone the delay of small volume of 69 days.

ORDER

(i) The application for condonation of delay is hereby allowed.

(ii) The Registry is directed to make scrutiny of the appeal as per procedure and thereafter, it be numbered only on depositing the entire decretal amount awarded by the Commissioner under the Workmen's Compensation Act, 1923.

(iii) If the decretal amount is not deposited within six weeks from today with the Registry or with the concerned Commissioner under the Workmen's Compensation Act, 1923, the registration of the appeal shall be refused.

(iv) The civil application is accordingly disposed of.

(SHRIKANT D. KULKARNI, J.)