

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**  
**NAGPUR BENCH : NAGPUR**

**CIVIL APPLICATION NO. 1478 OF 2021**  
**AND**  
**CIVIL APPLICATION NO. 1477 OF 2021**  
**IN**  
**FIRST APPEAL ST. NO. 11263 OF 2020**

Reliance General Insurance Co. Ltd.

..vs..

Shri Devraoji S/o Mahadevrao Tarte and ors.

-----  
Office Notes, Office Memoranda of Coram,  
appearances, Court's orders of directions  
and Registrar's orders  
-----

Court's or Judge's orders

-----  
Shri D.N. Kukday, Advocate for the appellant/applicant.  
Shri M.R. Joharapurkar, Advocate for respondent nos. 1 to 4.  
Shri Manzar Anis, Advocate for respondent no. 7.  
-----

**CORAM : M.S. KARNIK, J.**  
**DATED : 13/04/2022.**

Heard.

2. These are applications for condonation of delay in filing the application for setting aside the abatement and bringing the legal representative of respondent no. 7 and for setting aside the abatement of appeal against respondent no.7 and for bringing the legal representatives of respondent no.7, respectively.

3. Learned Counsel Mr. Manzar Anis appeared on behalf of the legal heirs of respondent no.7 as indicated in paragraph 1 of the Civil Application No. 1477 of 2021. He has no objection, if the applications are allowed.

4. Civil Application No. 1478 of 2021 is filed for condonation of delay. There is delay of 2465 days in filing the application for setting aside the abatement and bringing the legal representatives of respondent no. 7.

5. Considering that the legal representatives of

respondent no. 7 has no objection and agreed with the reasons stated in the application, the application for condonation of delay and application for setting aside the abatement of appeal against respondent no.7 and for bringing the legal representatives of respondent no. 7, are allowed.

6. Consequential amendments regarding bringing the legal representatives of respondent no. 7, be carried out within a week from today.

7. Mr. Manzar Anis, learned Counsel waives service of notice on behalf of legal representative of respondent no.7.

**CIVIL APPLICATION NO. 1553 OF 2020**

Heard.

2. This is an application for condonation of delay of 206 days in filing the appeal. The appeal is filed by the Reliance General Insurance Co. Ltd. against the judgment and Award passed by the Motor Accidents Claims Tribunal, Nagpur in Claim Petition No. 317 of 2012.

3. Learned Counsel for the respondents opposed the application.

4. For the reasons stated in the application and in view of the oral submissions of the learned Counsel, the application is allowed. The delay is condoned.

5. The civil application is disposed of.

**FIRST APPEAL NO. \_\_\_\_\_ OF 2022**

Heard.

2. **ADMIT.**

3. Mr. M.R. Joharapurkar, learned Counsel for respondent nos. 1 to 4 and Mr. Manzar Anis, learned Counsel for legal representative of respondent no. 7, waive service.

4. Call for the Record and Proceedings.

5. Private Paper Book be filed within a period of 6 months.

**JUDGE**

*Trupti*