

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**918 CIVIL APPLICATION NO.4139 OF 2023
IN FAST/10035/2023 WITH CA/4140/2023 IN
FAST/10035/2023**

**NEW INDIA ASSURANCE CO LTD THROUGH ITS BRANCH
MANAGER
VERSUS
SHOBHA WO MANIKRAO JADHAV AND OTHERS**

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Mr. A.S. Usmanpurkar, Advocate for the applicant.
Mr. Avinash Khande, Advocate for respondent Nos.1 to 3.

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CORAM : SANDIPKUMAR C. MORE, J.

DATED : 27th June 2023.

ORDER:-

IN CIVIL APPLICATION NO. 4139 OF 2023 :

1. Learned Counsel Mr. M.D. Shinde submits that earlier he had waived service on behalf of respondent Nos.1 to 3 – claimants, but now Mr. Avinash Khande is having instructions to appear on behalf of respondent Nos.1 to 3. As such, the appearance of Mr. M.D. Shinde stands discharged.
2. Heard rival submissions.
3. The appellant – Insurance Company is seeking condonation of delay of 69 days, which appears to be caused due to obtaining sanctions at various stages. Considering the short period of delay, the application is allowed and delay of 69 days stands condoned.
4. The appeal be placed for admission after removal of office objections, if any.
5. Application is accordingly disposed of.

IN CIVIL APPLICATION NO. 4140 OF 2023 :

1. Learned Counsel Mr. M.D. Shinde submits that earlier he had waived service on behalf of respondent Nos.1 to 3 – claimants, but now Mr. Avinash Khande is having instructions to appear on behalf of respondent Nos.1 to 3. As such, the appearance of Mr. M.D. Shinde stands discharged.

2. Since the appellant – Insurance Company has deposited entire amount of compensation as directed by this Court, the application is made absolute in terms of prayer clause-B and disposed of.

(SANDIPKUMAR C. MORE, J.)