

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

**19 CIVIL APPLICATION NO. 360 OF 2018
IN FAST/42127/2017**

**UNITED INDIA INSURANCE CO. LTD., THR ITS
ADMINISTRATIVE OFFICER, AURANGABAD AND ORS
VERSUS
VAISHALI ANANDA BHADANE AND ORS**

...

Advocate for Applicants : Mr.Swapil S.Rathi
Advocate for Respondent No. 1 : Mr. L.V.Sangit

...

**CORAM : KISHORE C. SANT, J.
DATE : 26.09.2023.**

PER COURT :

1. Heard the parties. The learned Advocate Mr. Rathi for the applicants submits that while filing an appeal delay of 186 days is caused. The delay is caused because of the time taken for completing the formalities as the proposal has to be sent for approval to the higher officer and it takes some days in receiving the approval back etc.

2. Mr. Sangit, the learned Advocate for respondent NO. 1 vehemently opposes the application stating that the reasons assigned in the application cannot be said to be sufficient cause for condonation of delay. However, considering that the delay is

of 186 days, this Court for the reasons recorded in the application finds that in the interest of justice the application is liable to be allowed.

3. Considering the above, the delay condonation application stands allowed and disposed off.

4. The insurance Company has already deposited an amount as per direction of this Court. The respondents have already withdrawn the deposited amount in this Court.

5. Since the appeal is of 2017, there is also an application filed for withdrawal of the remaining amount on the count that the sons of deceased are now taking education and they required considerable amount for their education.

6. Considering that place the appeal for final disposal on 25.10.2023.

7. If appeal is not taken for final disposal, Civil Application No. 8444 of 2023 in FAST No. 42127 of 2017 will be considered on that day.

8. Call for record and proceedings.

9. The parties are at liberty to produce on record notes of arguments, pleadings and evidence etc.

(KISHORE C. SANT)
JUDGE

mahajansb/