

Amrut

IN THE HIGH COURT OF BOMBAY AT GOA

MISC. CIVIL APPLICATION NO. 5 OF 2021

IN

FIRST APPEAL NO.294 OF 2021 (F)

ABCN LOGISTICS PVT. LTD

... Applicant

Versus

RELIANCE GENERAL INSURANCE
CO. LTD. AND 6 ORS

... Respondents

Mr. Saumen Vidyarthi, Mr. Rushabh Vidyarthi, and Mr. Vibhav Amonkar, Advocates for the Applicant.

Mr. James Lopes, Advocate for Respondent No.1-Insurance Company.

CORAM: M. S. SONAK, J.

DATED : 13th JANUARY 2023

P.C.:

1. Heard Mr. S. Vidyarthi, learned counsel for the Applicant, and Mr. J. Lopes learned counsel for Respondent No.1-Insurance Company.

2. Though the service is not complete on Respondent Nos.2 to 7, the contesting party is Respondent No.1 because what the Applicant impugns in the accompanying appeal is the order for pay and recover.

3. Accordingly, the delay of 619 days in the institution of this appeal is condoned. The reason for this delay has been set out in the Civil Application. Though the Applicant is not diligent in this matter, the delay is such as can be condoned by compensating the Insurance Company with some costs.
4. In the connected appeal, the delay was condoned subject to payment of costs of ₹50,000/-.
5. In this matter, the delay is condoned subject to payment of costs of ₹25,000/-.
6. Such costs are to be paid within two weeks from today. If the costs are paid within two weeks from today then the appeal should be registered and placed for admission/final disposal on 16.02.2023.
7. However, if the costs are not paid within two weeks from today then this Civil Application and consequently the appeal itself to stand dismissed without further reference to this Court.
8. The Misc. Civil Application is disposed of accordingly.

M. S. SONAK, J.

TARI AMRUT NAGESH¹ Digitally signed by TARI AMRUT NAGESH
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