

AGK

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**CIVIL APPLICATION NO.1074 OF 2014
IN
FIRST APPEAL (ST.) NO.14265 OF 2013
WITH
FIRST APPEAL (ST.) NO.14265 OF 2013**

The New India Assurance Co. Ltd. ... Applicant

V/s.

Chhabutai Kisan Suryavanshi & Ors. ... Respondents

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Mr. S.B. Jinsiwale for the applicant.

Mr. Tulshiram R. Kale i/by Mr. S.G. Thorat for
respondent no.4.

CORAM : AMIT BORKAR, J.

DATED : JANUARY 3, 2023

P.C.:

Civil Application No.1074 of 2014:

1. For the reasons stated therein, the interim application seeking condonation of 102 days' delay in filing the first appeal is allowed.

First Appeal (st.) No.14265 of 2013:

2. According to the learned advocate for the insurance company the appellant was travelling in the goods vehicle. According to him, the first information report demonstrates that the deceased was travelling in the goods vehicle.

3. **Admit.**
4. Stand over to **17th January 2023.**

(AMIT BORKAR, J.)