

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

CAF NO.1778/2019 AND FA ST.NO.5215/2019

**The Oriental Insurance Co.Ltd., Branch Office at Akola, thr.its TP Hub Incharge,
Nagpur**

..VS..

Mahadep s/o Sonaji Shirole and ors

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

Court's or Judge's Order

.....
Mrs.Mrunal Naik, Counsel for the Applicant.
Shri Sachin Sambre, Counsel for NA Nos.1 & 2.

CORAM : URMILA JOSHI-PHALKE, J.

DATED : 28/02/2023

1. The application is preferred by the Oriental Insurance Company Limited for condonation of delay caused in preferring the appeal against judgment and award dated 21.4.2018 passed by learned Commissioner Under Employees' Compensation, First Labour Court at Nagpur in ECA Case No.B-39/2015. Delay is of 220 days.

2. Learned counsel Mrs.Mrunal Naik for the applicant/Insurance Company submits that the judgment and award was passed on 21.4.2018. The applicant applied for certified copy and the certified copy was received on 4.6.2018 and, thereafter, necessary documents were forwarded to the Regional Office who was exercising scrutiny of High Court's matters. After obtaining legal opinion, the appeal was filed. In obtaining scrutiny as well as legal opinion, time was consumed and, therefore, the delay is caused. The delay is not intentional. There is sufficient and reasonable cause for condonation of delay.

3. The application is opposed by learned counsel Shri Sachin Sambre for claimants on the ground that the delay is not properly explained.

4. Heard and perused the application.

5. It is apparent that the Insurance Company was to obtain necessary approval from higher officials in which the time was

consumed. Thus, the delay is not intentional one and as such the delay can be condoned.

6. For reasons stated in the application, the application is **allowed**. The delay is condoned.

7. Office to register the first appeal. Record and proceedings be called for. Paper book be filed within a period of twelve weeks from today. After receipt of the record and proceedings, place the appeal for its final hearing as per its turn.

8. The application is **disposed** of.

(URMILA JOSHI-PHALKE, J.)

!! BrWankhede !!

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