

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CIVIL APPLICATION (CAF) NO. 1029/2021 IN FIRST APPEAL
STAMP NO. 13453/2020

Shriram General Ins. Co. Ltd. V/s Jairam and others

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Ms Aashita Verma, counsel h/f Mr H.N. Verma, counsel for the appellant
/applicant.

Mr M.R.Joharapurkar, counsel for respondent Nos.1 and 3.

CORAM : URMILA JOSHI-PHALKE, J.
DATED : 03/03/2023.

1. Present application is filed by the Insurance Company for condonation of delay which is caused in preferring the appeal.

2. As per the contention of the appellant, the judgment and award passed in MACP No. 1282/2011 on 15/01/2020 thereafter there was Covid Pandemic situation, and restrictions were imposed on the civilians therefore, the appellant could not approach to the Court to prefer the appeal. Hence, delay of 229 days in preferring the appeal. There is just and reasonable cause for the condonation of delay.

3. Said application is opposed by the learned counsel Mr M.R. Joharapurkar for respondent Nos. 1 and 3, on the ground that delay is not properly explained.

4. Heard both the sides. Perused the application.

5. Admittedly, from March-2020 till August 2021, there was Covid pandemic situation. The Hon'ble Apex Court has also excluded the limitation period. In view of that just and reasonable cause is made out by the appellant to condone the delay.

6. In view of that, application No. 1029/2021 is allowed. Delay of 229 days is condoned.

Civil application is disposed of.

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1. Appeal be registered.
2. Call for record and proceedings.
3. Private paper-book is dispensed with.
4. Place the matter for final hearing on 31/03/2023.

JUDGE