

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

CAF NO.1100/2019 AND FA ST.NO.23176/2018

**The New India Assurance Co.Ltd., thr.its Divisional Manager, Amravati, presently
through Chief Regional Manager, Nagpur**

..VS..

Smt.Indira wd/o Shantaram Tumdam and ors

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

Court's or Judge's Order

.....
Shri A.W.Paunikar, Counsel for the Applicant.
Shri R.A.Bhandakkar, Counsel for NA Nos.1 to 4.

CORAM : URMILA JOSHI-PHALKE, J.

DATED : 16/01/2023

1. By this application, the applicant – New India Assurance Co. Ltd., Nagpur seeks condonation of delay in filing a first appeal. Delay is of 115 days.
2. The delay is not deliberate and reasonable and justifiable reasons are mentioned in the application.
3. For reasons stated in the application, the application is allowed. The delay stands condoned. Office to register the first appeal. Record and proceeding be called for. After receipt of the record and proceedings, the applicant shall file private paper book within a period of eight weeks from today.
4. The civil application stands disposed of.

CAF NO.2001/2022

1. This is an application for withdrawal of amount by original claimants/respondent Nos.1 to 4.

2. Learned counsel Shri A.W.Paunikar for the appellant submits that he preferred the first appeal on the ground that the cheque issued by the owner of the vehicle towards premium is dishonoured and, therefore, the Insurance Company is not liable to pay compensation. However, he prays time to file a detailed reply,

3. Stand over to 30.1.2023.

(URMILA JOSHI-PHALKE, J.)

!! BrWankhede !!

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