

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 3729 OF 2010

IN

FIRST APPEAL (ST) NO. 24884 OF 2010

Bansidhar R. Yadav ... Appellant/Applicant

V/s.

The New India Assurance Co. Ltd. ... Respondent
And Ors.

None for the parties.

CORAM : KISHORE C. SANT, J.

DATE : 16TH APRIL 2024.

PC:

1. This application is for condonation of delay of 266 days caused in filing the First Appeal. Though the respondents are served, none appears for respondents. It is stated in the application that there was a communication gap between the advocate and the appellant. The applicant was under bonafide impression that the appeal is already filed along with other appellant. However later on it came to knowledge that appeal though was filed on behalf of some other, no appeal was filed on behalf of the present appellant. For this reason, there is delay of 266 days in filing the appeal.

2. For the reasons stated and since none appears for the respondents, in spite of service, this Court is inclined to allow the

application. The application is thus allowed and is disposed of accordingly.

3. Office to restore the First Appeal.

(KISHORE C. SANT, J)