



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**CIVIL APPLICATION NO. 4533 OF 2024
IN FAST/10987/2024**

**THE BRANCH MANAGER NEW INDIA ASSURANCE CO LTD
1ST FLOOR,BL AVENUE,BASMATH ROAD PARBHANI**

**VERSUS
ASHOK KONDIBA HANWATE**

...

Mr. Ajit B. Kadethankar, Advocate for Applicant.

Mr. P. S. Agrawal, Advocate for Respondent Nos.2 and 3.

Mr. V. M. Maney, Advocate for Respondent No.4.

**CORAM : S. G. CHAPALGAONKAR, J.
DATED : 13th JANUARY, 2025.**

P.C.:-

1. Heard Mr. Kadethankar, learned Advocate appearing for the applicant.
2. By this application, the applicant seeks to condone the delay of 209 days caused in filing the appeal.
3. Mr. Kadethankar submits that delay is occasioned on the ground of administrative reasons. The applicant has not derived any disadvantage by making such delay.
4. Per contra, Mr. Agrawal, learned Advocate appearing for the original claimants vehemently opposes the application. According to him, reasons as stated in the application does not constitute sufficient cause within the meaning of Section 5 of the Limitation Act.
5. Having considered the submissions advanced and the reasons stated in the application, it is apparent that the applicant is a juristic person and carries out its day-to-day administration

through its employees. The employees are bound to follow the rules of administration. In adhering to these requirements, a delay appears to have occurred, which was not intentional. As such, a case is made out to condone the delay. Hence, following order:

ORDER

- a. Civil Application is allowed.
- b. Delay of 209 days caused in filing the Appeal is hereby condoned.
- c. Appeal be registered subject to removal of office objections, if any.
- d. On registration of Appeal, issue notice to respondents, returnable on 10.02.2025. Mr. Agrawal, learned Advocate waives notice for original claimants/respondent nos.2 and 3.
- e. Call for Record and Proceedings.
- f. Civil Application is disposed of.

(S. G. CHAPALGAONKAR)
JUDGE