



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

**917 CIVIL APPLICATION NO. 12118 OF 2024
IN FAST/30927/2024
WITH
CIVIL APPLICATION NO. 12119 OF 2024
IN FAST/30927/2024**

**CHOLAMANDALAM GENERAL INSURANCE CO LTD
VERSUS
KIRAN YADAV KURHADE AND ANOTHER**

....

Advocate for Applicant : Mr. Aniruddha Sudhakar Rao Usmanpurkar
Advocate for Respondent No.1 : Mr. Shaikh Mazhar A. Jahagirdar and
Shaikh Sohail Yusuf
Advocate for Respondent No.2 : Mr. P.B. Vikhe Patil

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CORAM : S. G. CHAPALGAONKAR, J.

Dated : 13th February 2025

PER COURT :-

ORDER ON CONDONATION OF DELAY :

1. Heard Mr. A.S. Usmanpurkar, learned advocate appearing for the applicant.
2. The applicant seeks to condone the delay of 509 days caused in filing the appeal.
3. Learned advocate submits that, during transit of the file from the local office to regional office, it was misplaced. Consequently, delay has been caused.

4. Considering the submissions advanced, although the delay caused in filing appeal, it cannot be said to be intentional or deliberate. There appears some negligence on the part of the applicant. Therefore, following order.

ORDER

- I. Civil Application is allowed.
- II. Delay of 509 days caused in filing appeal is condoned subject to cost of Rs.2,000/- (Rupees Two Thousand Only) to be deposited to the bar library of this Court.

ORDER ON STAY APPLICATION :

5. Learned advocate Mr. A.S. Usmanpurkar, appearing for the applicant submits that, entire amount as awarded is deposited with the registry of this court.

6. The statement is supported by endorsement. In that view of the matter, civil application is allowed in terms of prayer Clause (B) and accordingly, the application is disposed off.

(S. G. CHAPALGAONKAR, J.)