



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

**73 CIVIL APPLICATION NO. 1414 OF 2024
IN FAST/174/2024**

UNITED INDIA INSURANCE COMPANY LTD
VERSUS
NIRMALA WD /O RAMESH HODGAR AND ORS

...
Advocate for Applicant : Mr. Mohit R. Deshmukh
Advocate for Respondent Nos. 1 to 4: Mr. Dhakane R.B.
Advocate for Respondent No. 5 : Mr. Bhagwat Nilesh N.

...
CORAM : S. G. CHAPALGAONKAR, J.

Dated : January 23, 2025

PER COURT :-

1. Heard learned counsel appearing for respective parties.
2. The applicant seeks to condone the delay of 223 days caused in filing the appeal.
3. The perusal of application shows that the delay is occasioned on account of administrative reasons. Mr. Dhakane, learned Advocate appearing for the respondent nos. 1 to 4, vehemently opposes the application contending that the reasons as stated in the application cannot be treated as sufficient cause.
4. Having considered the submissions advanced, it is apparent that the delay is mainly adverted to the administrative reasons. Averments are not controverted by filing reply. However, looking to the nature of controversy between the parties, plausible explanation is made out. The case is made

out to condone the delay, albeit subject to costs. Hence, following order :

ORDER

- i. Civil application is allowed.
- ii. The delay of 223 days caused in filing of the appeal is condoned subject to the payment of costs of Rs. 5,000/- (Rupees five thousand) to the claimants within a period of four weeks from today.

(S. G. CHAPALGAONKAR)
JUDGE

spc-