

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO.8831 OF 2024
IN
FIRST APPEAL (ST) NO.28262 OF 2023

The New India Assurance Co. Ltd., Applicant
Mumbai

V/s.

Vijay Vasant Divkar & Anr. Respondents

Mr.Sandeep Jinsiwale, for the Applicant/Appellant.
Mr.T.J. Mendon, for the Respondents.

CORAM : R.M. JOSHI, J.

DATE : 8th DECEMBER 2025

P.C:-

. Heard counsel for both sides.

2. The learned counsel for the Appellant/Applicant submits that, delay has been satisfactorily explained and no *mala fides* can be attributed.

3. The learned counsel for the Respondent-Original Claimants vehemently opposed the Application.

4. For the reasons mentioned in the Application, it cannot be said that, the delay is deliberate for want of any *mala*

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fides and for the reasons delay is satisfactorily explained.

5. The Application is allowed.
6. The Appeal be registered.

(R.M. JOSHI, J.)