

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION**

**INTERIM APPLICATION NO. 12389 OF 2024  
IN  
FIRST APPEAL (ST.) NO. 18471 OF 2024**

The New India Insurance Co. Ltd. .... Applicant  
V/s.

Amol s/o. Subhash Bankar and Ors. .... Respondents

Mr. Devendranath S. Joshi for the Applicant.  
Mr. R.S. Alange for Respondent Nos.1 to 3.

**CORAM : SHYAM C. CHANDAK, J.**

**DATED : 05<sup>th</sup> MAY, 2025**

**P.C. :-**

- . Heard learned Advocate for the parties.
- 2) By this Application, the Applicant seeks condonation of 11 days delay in filing the aforesaid Appeal.
- 3) Mr. Joshi, learned Advocate for the Applicant submitted that the Respondent No.4/Original Opponent No.1 was driver of the offending vehicle. The claim proceedings were abated against Respondent No.4. No statutory defence is available to the Applicant against Respondent No.5/owner of the offending vehicle. Therefore, he submits that the notice to Respondent No.5 be dispensed with.
- 4) Hence, notice to Respondent No.5 is dispensed with.
- 5) There is only 11 days delay in filing the aforesaid Appeal. Mr. Joshi, learned Advocate for the Applicant submitted that the delay was on account of the administrative reasons.

- 6) In view thereof, the delay of 11 days in filing the aforesaid Appeal, is condoned. Appeal be registered forthwith.
- 7) Interim Application stands disposed of.

PREETI  
HEERO  
JAYANI

(SHYAM C. CHANDAK, J.)

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