

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

**INTERIM APPLICATION NO.3652 OF 2025  
WITH  
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IN  
FIRST APPEAL STAMP NO.5899 OF 2025  
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New India Insurance Co. Ltd. ... Applicant/Appellant  
vs.  
Nietu Ramsambhar Shukla & Anr. ... Respondents

Ms. Swati Sinha for the Applicant/Appellant.  
Mr. Rahul Mehta i/b KMC Legal Venture for the Respondent No.1.

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

**DATE : 11<sup>th</sup> MARCH 2025**

**P.C. :**

**INTERIM APPLICATION NO.3652 OF 2025**

. By this Application, the Applicant prayed to condone the delay of 120 days in filing the aforesaid Appeal impugning the Judgment and Order dated 19<sup>th</sup> July 2024, in Motor Accident Claims Petition No.1125 of 2019, passed by Motor Accident Claims Tribunal, Mumbai.

2) Heard learned Advocate for the Applicant and learned Advocate for the Respondent No.1.

3) Learned Advocate Ms.Sinha for the Applicant submitted that

it took time to get an administrative approval to file the Appeal. The delay is not huge. The Applicant has deposited entire compensation amount alongwith accrued interest thereon.

- 4) In view thereof, the Application is allowed.
- 5) The delay of 120 days in filing the aforesaid Appeal is condoned. Appeal be registered.
- 6) Application is disposed of, accordingly.

**FIRST APPEAL STAMP NO.5899 OF 2025**

. Issue notice to the Respondents in the Appeal alongwith Interim Application No.3653 of 2025, returnable on **8<sup>th</sup> April 2025**.

- 2) Learned Advocate Mr.Mehta waives notice for Respondent No.1.
- 3) Learned Advocate for the Appellant to supply spare copy of the Appeal in the Registry for service of notice on the Respondent No.2 within a period of one week from today. In addition to the Court's notice the Appellant to serve the Respondent No.2 by private notice and file the affidavit of service before the returnable date. ***Hamdast*** allowed.

**(SHYAM C. CHANDAK, J.)**