



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, AT NAGPUR.**

CIVIL APPLICATION (CAF) NO. 808 OF 2021

IN

FIRST APPEAL (STAMP) NO. 5690 OF 2020

(The National Insurance Com. Ltd., Nagpur ..vs.. Smt. Shilpa wd/o Mahendra Raspayle and others)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. V.P. Maldhure, Advocate for the applicant/appellant,
Mr. N.D. Dawda, Advocate for respondent Nos. 1 to 3.

CORAM : ABHAY J. MANTRI, J.

DATED : 22-07-2025

The applicant/appellant has moved this application for condonation of a delay of 108 days in filing the appeal, for which the learned Advocate for respondent Nos. 1 to 3 has raised an objection to condoning the delay. However, it appears that the application has been pending since 2021. Since then, the respondents have failed to file a reply to the said application, which leads to draw the inference that the respondents do not have a serious objection. Therefore, on that ground alone, I do not find substance in his oral objection. However, considering the reasons disclosed in the application as well as the factual position of the case, the application is allowed as prayed. Delay of 108 days in filing the appeal is condoned. The appeal be registered accordingly.

First Appeal (Stamp) No. 5690/2020.

Heard.

2. Issue notice to the respondents, returnable after four weeks.

3. Mr. N.D. Dawda, learned Advocate, waives service of notice for respondent Nos. 1 to 3. He submitted that respondent No. 4 passed away on 21-11-2023, and his legal heirs, i.e., respondent Nos. 1 to 3, are already on record.

4. Call for record and proceedings.

5. List the matter after the receipt of the record and proceedings.

6. The learned Advocate for the appellant undertakes to supply copies of the appeal memo along with the annexures to the learned Advocate for the respondents within one week.

(ABHAY J. MANTRI, J.)

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