

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CIVIL APPLICATION NO.206 OF 2024 AND
MISC. CIVIL APPLICATION ST. NO. 21792 OF 2023 IN
FIRST APPEAL NO.60 OF 2017(D)

Shriram General Insurance Co. Ltd.,

..vs..

Smt. Kamal wd/o Dilip Ugale and ors.

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

Court's or Judge's orders

Shir P.N. Khadgi, Advocate for the appellant.

Ms S.H. Bhagat, Advocate h/f Shri P.R. Agrawal, Advocate for
the respondent nos. 1 and 2.

CORAM: SANDIPKUMAR C. MORE, J.
DATE : 14/01/2025.

Heard the rival submissions.

2. The Civil Application is for condonation of delay of 862 days in filing an application for restoration of First Appeal No.60/2017, which was dismissed in default on 06.02.2019, whereas Misc. Civil Application is filed for actual restoration of the appeal.

3. Though there is huge delay as per the learned Counsel for the original respondents/Claimants, but considering the statutory right of the appellant/Insurance Company, both applications are allowed in terms of their respective prayers. The delay of 862 days stands condoned and the First Appeal No.60/2017 is restored back to its original stage.

4. The learned Counsel for the respondent nos. 1 and 2 waives service after restoration of the appeal.

5. The Applications stand disposed of.

6. Stand over to 11.02.2025.

(SANDIPKUMAR C. MORE, J.)

Trupti