

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/CIVIL APPLICATION NO. 1867 of 2019****In F/FIRST APPEAL NO. 20365 of 2019**

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ORIENTAL INSURANCE CO LTD

Versus

THAKOR JYOSTNABEN WD/O ROHITJI ALIAS LALAJI

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Appearance:

MR VC THOMAS(5476) for the Applicant(s) No. 1

for the Respondent(s) No. 7

MR PARESH M DARJI(3700) for the Respondent(s) No. 1,2,3,4

RULE NOT RECD BACK(63) for the Respondent(s) No. 5,6

RULE SERVED(64) for the Respondent(s) No. 8,9

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CORAM: HONOURABLE MR.JUSTICE N.V.ANJARIA

Date : 28/02/2020

ORAL ORDER

Heard learned advocate Mr. V.C. Thomas for the applicant and learned advocate Mr. Paresh Darji for the respondent Nos.1 to 4. Though served with the rule, respondent Nos. 8 and 9 have chosen not to appear. It was stated by learned advocate for the applicant that respondent Nos. 5 and 6 were not present before the Tribunal also therefore, dispensing presence of respondent Nos.5 and 6, present application for condonation of delay is taken up.

2. It is to condone delay of 107, which has taken place in preferring the appeal against the judgment and award of the Motor Accident Claims Tribunal, that the present application is filed.

3. Explaining the delay it was stated by the applicant that

judgment and award of the Claims Tribunal was passed on 24.10.2018. The certified copy was applied immediately on 25.10.2018 and the same became ready on 11.12.2018. Papers were sent to the Ahmedabad office of the Insurance Company on 17.12.2018 for the purpose of legal opinion. Thereafter, the time travelled from regional office to divisional office for deciding to prefer the appeal.

4. The reasons advanced in the application are in the realm of administrative procedure of the decisional stages required to be undergone in the setup of the applicant- Insurance Company.

5. It makes out sufficient cause. Delay of 107 days is condoned. This application is allowed. Rule is made absolute.

(N.V.ANJARIA, J)

Manshi