

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 13371 OF 2013 IN
FIRST APPEAL (ST) NO. 27776 OF 2013

AND

CIVIL APPLICATION NO. 13370 OF 2013 IN
FIRST APPEAL (ST) NO. 27776 OF 2013

ICICI Lombard General Insurance Co. Ltd. .. Applicants

VERSUS

Kadubai Namdeo Tayde and others .. Respondents

Mr. V.N. Upadhye, Advocate for the applicants in both CAs
Mr. S.K. Shirse, Advocate for the respondents

CORAM : M.T. JOSHI, J.

DATE : 09/01/2015

ORAL ORDER :

1. Heard both sides on the count of grant of stay to the execution of the award and condonation of delay.
2. Considering that the earlier order directing to deposit 50% of the amount, has been complied with, interim stay granted to the execution of the award is hereby made absolute on the same terms and conditions.
3. Civil Application No. 13371 of 2013 seeking stay to the impugned award is disposed of accordingly.

4. Mr. Upadhye submits that delay of 57 days is caused in filing of the appeal as the Advocate for the appellant was abroad and therefore the appeal could not be preferred within time.

5. Considering the nature of the reasons, in my view, sufficient cause is made out. Delay is condoned. Civil Application no. 13370 of 2013 is accordingly allowed without any order as to costs.

6. Both Civil Applications stand disposed of.

[M.T. JOSHI]
JUDGE

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