

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

**CIVIL APPLICATION NO. 1030 OF 2015 IN
FIRST APPEAL (ST.) NO. 27032 OF 2014**

Sunil Vanilal Bhavsar

.. Applicant

VERSUS

United Insurance Co. Ltd. and others

.. Respondents

WITH
**CIVIL APPLICATION NO. 1031 OF 2015 IN
FIRST APPEAL (ST.) NO. 27032 OF 2014**
AND
**CIVIL APPLICATION NO. 9964 OF 2014 IN
FIRST APPEAL (ST.) NO. 27032 OF 2014**

Mr. V.P. Patil, Advocate for the applicant in all CAs.
Mr. S.G. Chapalgaonkar, Advocate for the respondent no.1
Mr. S.B. Yawalkar, Advocate for respondent nos.3 to 5

CORAM : M.T. JOSHI, J.
DATE : 28/01/2015

ORAL ORDER :

1. Heard both sides.
2. All the sides agree that instead of deciding the present application, delay in filing the application itself may be condoned and the appeal should be heard finally at the stage of admission.

3. Affidavit-in-reply filed on behalf of respondent nos.3 and 5 is taken on record and marked as "X" for the purpose of identification.

4. Mr. Patil submits that the appeal would be ready for final hearing no sooner the appeal is registered and for a period of three months, the plot, as detailed in the present application for direction would not be transferred or no agreement would be executed hereinafter for a period of three months.

5. The said statement is accepted. Interim relief granted by this Court in Civil Application no. 9964 of 2014 vide order dated 10/10/2014 to continue till the next date.

6. Mr. Yawalkar submits that for a period of three months, no further action would be taken for execution of the award. He seeks liberty to file Cross Objection as the appeal is yet to be admitted. Mr. Yawalkar further submits that he has learnt that respondent nos.6 and 7 i.e. the parents of the deceased had already died. He would make a definite statement regarding the same on the next date.

7. Liberty to file the Cross Objection is granted.
8. Civil application no. 1030 of 2015 seeking direction and Civil Application no. 1031 of 2015 seeking extension of interim relief granted earlier, stand disposed of accordingly.
9. Stand over to 12/02/2015 for hearing of the first appeal, subject to appearance of respondent nos.6 and 7.
10. Call **R & P**. Hamdast granted.

[M.T. JOSHI]
JUDGE

arp/