

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

C.A.F.NO. 1575/2015 IN F.A.ST.NO.9786/2015.

The Divisional Manager, National Insurance Co. Ltd. Nagpur.

-VERSUS-

Smt. Madhuri Devendara Soitkar and others.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders

**CORAM : B.P.DHARMADHIKARI
& P.N. DESHMUKH, JJ.**

DATE : SEPTEMBER 15, 2015.

Heard Mrs. G. Venkatraman, learned
Counsel for the applicant/appellant and Shri P.R.
Agrawal, learned Counsel for the respondent nos. 1,2
and 4.

2. Applicant - Insurance Company has
preferred an appeal under Section 173 of the Motor
Vehicles Act, 1988. As there is a delay of 12 days in
filing the same, present civil application is filed seeking
its condonation.

3. Request is being strongly opposed by the
respondents/claimants. However, we find that on
account of administrative compliances there is delay.

2

The Insurance Company has already deposited the claim amount as awarded by the Claims Tribunal, on 05.08.2015 with upto date interest.

4. In this situation, as we do not see any malafides, delay is condoned. Office to register the First Appeal. Civil Application is accordingly allowed and disposed of.

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F.A.St.No.9786/2015 & C.A.F.No. 1576/2015.

Heard Mrs. G. Venkatraman, learned Counsel for the appellant.

2. First Appeal is **Admitted** for final hearing. Shri P.R. Agrawal, learned Counsel waives notice for the respondent nos. 1,2 and 4.

3. Notice on Civil Application, returnable on 20.10.2015. Shri P.R. Agrawal, learned Counsel waives notice for the non-applicants no. 1,2 and 4.

4. Ad-interim order already granted, to continue, subject to rights of the respondents to oppose it, seek its vacation or modification and to apply for withdrawal of the amount in deposit.

JUDGE

JUDGE

Order

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Rgd.