

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

FIRST APPEAL NO.906 OF 2013

(Satish Bhagwan Baddamwar and another ..vs.. I.C.I.C.I. Lombard General Insurance Co. Ltd. and others)

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

Court's or Judge's orders

Shri A.S. Dhore, Advocate for the appellants,
Shri S.A. Dutonde, Advocate h/f. Shri R.D. Bhuibhar, Advocate for
the respondent No.1,
None for the respondent Nos.2 to 4.

CORAM : Z.A. HAQ, J.

DATED : 06-1-2015

Heard Shri A.S. Dhore, the learned Advocate for the appellants and Shri S.A. Dutonde, the learned Advocate holding for Shri R.D. Bhuibhar for the respondent No.1.

None appears for the other respondents.

Admit.

Shri S.A. Dutonde, the learned Advocate holding for Shri R.D. Bhuibhar, waives service of notice on behalf of the respondent No.1.

Civil Application (CAF) No.2085 of 2013.

The civil application is not on board and it is not tagged with the appeal. However, the learned Advocate for the appellants has submitted that the civil application is filed by the appellants praying for interim order. This Court by the order dated 03-12-2013 granted interim

stay to the execution of the impugned Award on condition that the appellants shall deposit the amount as per the Award. The learned Advocate for the appellants submits that the amount is not deposited as directed by this Court. Even otherwise the substantial grievance of the appellants is that the appellants are entitled for the reimbursement of the amount from the Insurance Company and the finding of the Motor Accident Claims Tribunal that the Insurance Company is not liable to pay the amount of compensation, is unsustainable. In view of this fact, the prayer for interim order is rejected.

The civil application is dismissed.

JUDGE

pma