

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**Civil Application No. 179 of 2013
With
Civil Application No.180 of 2013
In
First Appeal Stamp No.32334 of 2012**

Shaikh Kausar Ahmed s/o Shaikhaji
Sab.

.. Applicant.

Versus

Shakilabee w/o Shaikh Ramzan
And Another.

.. Respondents.

Shri. R.R. Shaikh, Advocate, for applicant.

Shri. A.G. Kanade, Advocate, for respondent No.2.

CORAM: T.V. NALAWADE, J.

DATE : 16th FEBRUARY 2016

ORDER:

1) The application is filed for condonation of delay of 19 days caused in filing appeal. Learned counsel for the owner and the insurance company are present. Claimant is absent though duly served. In view of the contentions made in the application and the submissions made the application is allowed. Delay is condoned.

2) Notice in appeal. Learned counsel for the Insurance company waives notice. Notice to original claimant made returnable on 11th April 2016. Copy of appeal memo be supplied to learned counsel for the insurance company. Call record and proceeding.

3) Learned counsel for the appellant is not ready to make statement that the appellant will be depositing the entire amount. In view of this statement no stay can be granted. Stay is refused. Civil Application No.180 of 2013 is rejected.

Sd/-
(T.V. NALAWADE, J.)

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