

Vidya Amin

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 756 OF 2014
A/W
CIVIL APPLICATION NO. 757 OF 2014
IN
FIRST APPEAL ST. NO. 33915 OF 2013

United India Insurance Company Ltd.

Motor Third Party Office

... Applicant/Appellant

Vs.

Mr. Rajesh Rampratap Singh & Ors.

... Respondents

Mr. R. Mehta i/b. KMC Legal Venture, Advocate for the Applicant/Appellant

CORAM: **MRS.MRIDULA BHATKAR, J.**

DATE: **25th FEBRUARY, 2016**

P.C.:

Not on board. Upon mentioning, taken on board.

2. Civil Application No. 756 of 2014 is filed for condonation of delay of 38 days in preferring the appeal.
3. Though notices are served on the original claimants and opponents, none present for them.
4. In view of the uncontroverted submissions of the learned counsel for the appellant, delay of 38 days is condoned. Civil Application is allowed.
5. Appeal be registered.

CIVIL APPLICATION NO. 757 OF 2014: -

6. By this Civil Application, the applicant/insurance Company seeks stay to the operation and execution of the impugned judgment and award dated 20th July, 2013 passed by the Commissioner for Workmen's Compensation and Judge, 5th Labour Court, Mumbai in Application (WCA) No. 349/C-90 of 2009. The learned Counsel for the applicant submits that the insurance company is ready to deposit the entire decretal amount alongwith interest accrued thereon.

7. In view of the above, issue notice to the respondents, returnable on 7th April, 2016.

8. In the meantime, there shall be an ad-interim stay to the operation and execution of the impugned judgment and award for a period of six weeks, subject to the applicant depositing in the trial Court, the entire decretal amount alongwith interest accrued thereon from the date of accident, within a period of four weeks from today.

(MRIDULA BHATKAR, J.)