

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

**CIVIL APPLICATION (CAO) NO.1912 OF 2016
IN MISC. CIVIL APPLICATION (STAMP) NO.22484 OF 2016 IN FIRST APPEAL
(STAMP) NO.15732 OF 2015**

(Reliance General Insurance Co. Ltd., Nagpur ..vs..Dr. Shamkumar s/o Umakant Burungule 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 D.N. Kukday, Advocate for the applicant/appellant.

CORAM : Z.A. HAQ, J.
DATED : 27-10-2016

As the appeal was dismissed, before notices were directed to be issued to the respondents, for non-removal of office objections, without issuing notice to the respondents and accepting the reasons stated in the application, delay of 34 days in filing application for setting aside order dated 23-08-2016 is condoned.

The civil application is allowed.

Misc. Civil Application (Stamp) No.22484 of 2016.

For the same reasons as recorded above, the order passed on 23-08-2016 is recalled.

The appeal is restored.

The miscellaneous civil application is allowed.

Civil Application No.15737 of 2015.

Notice, returnable on 21-11-2016.

The learned Advocate for the applicant/appellant

states that copy of memorandum of appeal will also be supplied to be served on the respondents.

Civil Application (Stamp) No.15736/2015.

Notice, returnable on 21-11-2016.

I am not inclined to grant interim order as the application is pending since 27-07-2015, however, on assurance given by the learned Advocate for the applicant/appellant that the amount as per the impugned award will be deposited with the registry of this Court till 16-11-2016, it is directed that the execution proceedings shall stand stayed till 16-11-2016.

If the amount is not deposited till 16-11-2016, the interim order shall stand vacated without reference to the Court and the civil application shall stand dismissed.

JUDGE

adgokar