

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**CIVIL APPLICATION NO. 2564 OF 2017
IN
FIRST APPEAL (ST.) NO. 993 OF 2017
WITH
CIVIL APPLICATION NO. 2565 OF 2017
IN
FIRST APPEAL (ST.) NO. 993 OF 2017**

The New India Assurance Co. Ltd. ...Applicant

Versus

Mr.Bindprakash Vikrama Yadav & Ors. ...Respondents

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Ms.Poonam Mital for the Applicant.

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**CORAM: MRS.MRIDULA BHATKAR, J.
DATED: SEPTEMBER 26, 2017**

P.C. :

1. Upon urgent mentioning, taken on Production Board.
2. Civil Application No.2564 of 2017 is filed for condonation of delay of 6 years and 193 days in preferring the appeal. Issue notice to the respondents, returnable on 21.11.2017.

CIVIL APPLICATION NO.2565 OF 2017: -

3. By this Civil Application, the applicant / insurance Company seeks stay to the operation and execution of the impugned judgment and order dated 19.04.2010 passed by the Commissioner for Workman's Compensation, Mumbai and Judge, Fifth Labour Court, Mumbai, in

application (WCA) No. 290/C-110/2006. The learned Counsel for the applicant submits that the insurance company has deposited the entire decretal amount alongwith interest accrued thereon i.e. Rs.79,448/- and she has also produced the receipt of payment.

4. In view of the above submissions, the operation and execution of the impugned judgment and order dated 19.04.2010 passed by the Commissioner for Workman's Compensation, Mumbai and Judge, Fifth Labour Court, Mumbai, is stayed, pending the appeal.

5. Civil Application is disposed of accordingly,

(MRIDULA BHATKAR, J.)