

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

**FIRST APPEAL (ST.) NO. 1355 OF 2017
WITH
CIVIL APPLICATION NO.2665 OF 2017
WITH
CIVIL APPLICATION NO. 2666 OF 2017
IN
FIRST APPEAL (ST.) NO. 1355 OF 2017**

The Oriental Insurance Co. Ltd. ...Applicant

Versus

Mrs.Sumitra Shankar Vitkar & Ors. ...Respondents

.....

Ms. S.S.Dwivedi for the Applicant.

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**CORAM: MRS.MRIDULA BHATKAR, J.
DATED: SEPTEMBER 07, 2017**

P.C. :

1. Civil Application No. 2665 of 2017 is filed for condonation of delay of 86 days in preferring the appeal. Issue notice to the respondents, returnable on 07.11.2017. In addition, private service is allowed.

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2. By this Civil Application, the applicant/insurance Company seeks stay to the operation and execution of the impugned judgment and award dated 04.08.2016 passed by the learned Commissioner of

Employee's Compensation and Judge Tenth Labour Court, Mumbai, in Application (ECA) No. 34/B-6/2014.

3. Learned counsel for the applicant submits that the applicant-Insurance Company has deposited the entire amount of compensation i.e. Rs. 4,55,461/- on 28.04.2017. She further submits that during the day she will file the receipt of the same.

4. In view of the above submission, the operation and execution of the impugned judgment and award dated 04.08.2016 passed by the learned Commissioner of Employee's Compensation and Judge Tenth Labour Court, Mumbai, in Application (ECA) No. 34/B-6/2014 is stayed till the final decision of the appeal, as the applicant-Insurance company has complied with the provisions of Section 30 of the Workmen's Compensation Act.

5. Civil Application stands disposed of accordingly.

(MRIDULA BHATKAR, J.)