

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

**CIVIL APPLICATION NO. 2973 OF 2016
IN
FIRST APPEAL (ST.) NO. 9655 OF 2016
WITH
CIVIL APPLICATION NO. 2974 OF 2016
IN
FIRST APPEAL (ST.) NO. 9655 OF 2016**

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

Versus

Sou. Zamabai Shantaram Bhogade & Ors. ...Respondents

.....

Mr.Devendranath S.Joshi for the Applicant.

Mr.Vilas B. Tapkir for Respondent No.1.

.....

CORAM: MRS.MRIDULA BHATKAR, J.

DATE: SEPTEMBER 26, 2017

P.C.:

1. Upon urgent mentioning, taken on Production Board.

CIVIL APPLICATION NO. 2973 OF 2016

2. This is a Civil Application for condonation of delay of 69 days in filing the appeal.

3. The learned Counsel for the applicant submits that delay of 69 days took place due to procedural compliance.

4. In view of the reasons mentioned in the application, delay of 69 days is condoned.
5. Registry to number the appeal and list it for admission.
6. Civil Application is disposed of accordingly.

CIVIL APPLICATION NO. 2974 OF 2016

7. By this Civil Application, the applicant / insurance Company seeks stay to the operation and execution of the impugned judgment and award dated 22.09.2015 passed by the Motor Accident Claims Tribunal, Pune, in MACP No. 268 of 2013. The learned Counsel for the applicant submits that the insurance company is ready to deposit the entire decretal amount alongwith interest accrued thereon, within a period of six weeks.
8. In view of the above, issue notice to the respondents, returnable on 21.11.2017. Till then, there shall be an ad-interim stay to the operation and execution of the impugned judgment and award dated 22.09.2015, for a period of eight weeks, subject to the applicant depositing in the MACT, Pune, the entire decretal amount alongwith interest accrued thereon, within a period of six weeks from today. The statutory amount of Rs.25,000/- deposited in this Court at the time of filing of appeal shall be transferred to the Motor Accident Claims Tribunal, Pune.
9. Stand over to 21.11.2017.

(MRIDULA BHATKAR, J.)