

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

**FIRST APPEAL (ST.) NO. 19065 OF 2017
WITH
CIVIL APPLICATION NO. 2509 OF 2017
WITH
CIVIL APPLICATION NO.2510 OF 2017
IN
FIRST APPEAL (ST.) NO.19065 OF 2017**

Bombay Electric Supply and Transport ...Applicant

Versus

Manish Devidas Thakker ...Respondent

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Mr.Sudhir Talsania, Senior Advocate a/w. Mr.Rakesh Singh and
Mr. Kunal Chedda i/b. M.V.Kini & Co. for the Applicant.
Mr. Amol Gatne for the Respondent.

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

P.C. :

CIVIL APPLICATION NO. 2509 OF 2017

1. Civil Application No. 2509 of 2017 is filed for condonation of delay of 256 days in preferring the appeal.
2. Learned counsel for the applicant has submitted that the delay has been caused because the applicant was trying to settle the matter.

3. Learned counsel for the respondent opposed this application. He has submitted that no sufficient reason is made to condone the delay.
4. Learned counsel for the applicant has submitted that still the applicant is ready for settlement.
5. In view of the submission of the learned counsel for the applicant and the reasons mentioned in the Civil Application, the delay of 265 days is condoned.
6. First Appeal be registered. Place the First Appeal for admission on 07.11.2017.

CIVIL APPLICATION NO. 2510 OF 2017

7. By this Civil Application, the applicant seeks stay to the operation, effect, implementation and execution of the impugned judgement and decree dated 18.06.2016 passed by the learned Member, Motor Accident Claims Tribunal, Mumbai, in M.A.C.P. No. 68 of 2008. The learned Counsel for the applicant has submitted that the applicant has already deposited the entire decretal amount alongwith interest accrued thereon i.e. Rs. 41,57,098/- by cheque dated 04.09.2017.

8. In view of the above submission, the impugned judgement and decree dated 18.06.2016 passed by the learned Member, Motor Accident Claims Tribunal, Mumbai, in M.A.C.P. No. 68 of 2008 is stayed till the final decision of the appeal.

9. Civil Application is disposed of accordingly.

(MRIDULA BHATKAR, J.)