

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

**CIVIL APPLICATION NO. 1489 OF 2016
IN
FIRST APPEAL (ST.) NO. 22493 OF 2015
WITH
CIVIL APPLICATION NO. 1490 OF 2016
IN
FIRST APPEAL (ST.) NO. 22493 OF 2015**

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

Versus

Shri.Karamsingh Jagirsingh Chauhan & Anr. ...Respondents

.....

Mr.D.R.Mahadik for the Applicant.

Mr.T.J.Mendon for Respondent No.1.

.....

CORAM: MRS.MRIDULA BHATKAR, J.

DATED: SEPTEMBER 26, 2017

PC. :

1. Upon urgent mentioning, taken on Production Board.

CIVIL APPLICATION NO. 1489 OF 2016

2. This is a Civil Application for condonation of delay of 86 days in filing the appeal.

3. The learned Counsel for the applicant submits that it is not deliberate, but the delay caused due to procedural compliance.

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

CIVIL APPLICATION NO. 1490 OF 2016

7. By this Civil Application, the applicant / insurance Company seeks stay to the operation and execution of the impugned judgment and order dated 07.03.2015 passed by the Commissioner for Employees Compensation & Judge Sixth Labour Court, Mumbai, in Application (WCA) No. 490/C-115 of 2011. The learned Counsel for the applicant submits that the insurance company has deposited the entire decretal amount alongwith interest accrued thereon. He produces a certificate which shows that an amount of Rs. 17,70,860/- is deposited by the insurance company by cheque.

8. In view of the above submissions, the implementation, operation and execution of the impugned judgment and order dated 07.03.2015 passed by the Commissioner for Employees Compensation & Judge Sixth Labour Court, Mumbai, in Application (WCA) No. 490/C-115 of 2011 is stayed, pending the appeal.

9. Civil Application is disposed of accordingly.

(MRIDULA BHATKAR, J.)