

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

**CIVIL APPLICATION NO.5696 OF 2007
IN
FIRST APPEAL (ST.) NO.25011 OF 2007
WITH
CIVIL APPLICATION NO.5697 OF 2007**

The New India Assurance Co. Ltd. ... Applicant
Versus
Narendra Gopinath Gawade And Others ... Respondents
.....
Mr. S.M. Dange for the Applicant.
Mr. T.J. Mendon for Respondent No.1.
.....

CORAM : S.C.GUPTE, J.

DATE : 18 APRIL 2017

P.C. :

. Civil Application No.5696 of 2007 is for condonation of a delay of 172 days in filing the First Appeal. All the Respondents are duly served. Only Respondent No.1 appears through Counsel. There is no reply on the part of any of the Respondents to the civil application. The civil application is allowed in terms of prayer clause-(a).

2 Civil Application No.5697 of 2007 is for stay of execution of the impugned award of Motor Accident Claims Tribunal, Raigad-Alibag. The entire decretal amount alongwith interest has been deposited by the Appellant Insurer before the Motor Accident Claims Tribunal, Raigad-Alibag. In the premises, considering the fact that this First Appeal and Civil Application are of the year 2007, the ad-interim stay operating in the

appeal is confirmed during the pendency of the First Appeal. The civil application is disposed of.

3 The First Appeal to come up on board for admission on 3 May 2017.

(S.C. GUPTE, J.)