

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 3986 OF 2016
WITH
CIVIL APPLICATION NO. 4196 OF 2017
IN
FIRST APPEAL (ST.) NO. 18001 OF 2016

ICICI Lombard General Insurance Co. Ltd. ...Applicant

Versus

Shri. Nitin Arun Mogare & Anr. ...Respondents

.....

Ms. Deepika Prabhala i/b. Res Juris for the Applicant.
Mr.Sachin Gite for Respondent No.1.

.....

CORAM: **MRS.MRIDULA BHATKAR, J.**
DATE: **DECEMBER 21, 2017**

P.C.:

1. Upon urgent mentioning, taken on Production Board.

CIVIL APPLICATION NO. 3986 OF 2016

2. There is a delay of 196 days in filing the First Appeal.

3. The learned counsel for the applicant submitted that the delay is not deliberate but due to procedural requirement, delay is caused.

4. The learned counsel for respondent no.1 opposed this application.
5. In view of the submission and the reasons mentioned in the Application, delay is condoned.
6. Civil Application is allowed and is disposed of accordingly.
7. Appeal be numbered.

CIVIL APPLICATION NO. 4196 OF 2017

8. By this Civil Application, the applicant/insurance company seeks stay to the execution and implementation of the impugned judgment and award dated 14th August, 2015 passed by the Motor Accident Claims Tribunal, Nashik in M.A.C.P. No. 831 of 2009. The learned Counsel for the applicant submits that the applicant/ insurance company has deposited the entire decretal amount alongwith interest accrued thereon i.e. Rs. 2,70,457/- on 14th December, 2017.

9. In view of this submission, the execution and implementation of the impugned judgment and award is stayed till the final hearing of the Appeal.
10. Civil Application is allowed and is disposed of accordingly.

(MRIDULA BHATKAR, J.)