IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.2772 OF 2014
WITH
CIVIL APPLICATION NO.2773 OF 2014
IN
FIRST APPEAL (ST.) NO.32877 OF 2013

The New India Assurance Co. Ltd. … Applicant/Appellant
Versus
Mrs. Eshwari Vellapandi Devar And Another… Respondents

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Mr. S.M. Dange for the Applicant.
Mr. P.M. Mokashi for Respondent No.2.

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CORAM : S.C. GUPTE, J.

DATE : 24 APRIL 2017

P.C. :

. Civil Application No.2772 of 2014 is for condonation of a delay of 80 days in filing the First Appeal. The First Appeal challenges an order passed by the Commissioner for Workmen's Compensation, Thane. For the reasons stated in the civil application, the civil application is allowed by condoning delay. Office shall now number the First Appeal, subject to removal of office objections, if any.

2 Civil Application No.2773 of 2014 is for stay of execution of the impugned order of the Commissioner. Learned Counsel submits that the principal amount of compensation and interest has been deposited by the Applicant/Appellant before the Commissioner. Learned Counsel submits

that the execution of the impugned order be stayed against such deposit. There is an ad-interim stay operating in the matter till date. The stay of execution is continued until further orders. The civil application is stood over to 6 June 2017. The question of allowing the Respondent employee to withdraw the compensation or a part of it, shall be considered at the final hearing of the civil application.

3 Since uploading of this order may take some time, the parties may inform the Commissioner for Commissioner for Workmen's Compensation, Thane, about the order passed today when the execution of the application of the employee comes up for hearing before the Commissioner tomorrow.

(S.C. GUPTE, J.)