

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

CIVIL APPLICATION [CAF] NO.1966 OF 2017
IN
FIRST APPEAL NO. 945 OF 2014

(The Oriental Insurance Co. Ltd., through its Manager, Nagpur
vs.
Tukdoji s/o Dayaram Bisen & others)

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders

Shri Rahul Wasnik, Adv. h/f Shri I.N. Chaudhari, Adv. for Applicant-R.1
Shri A.R. Kaple, Adv. h/f Shri A.M. Quazi, Adv. for the Appellant.

CORAM : KUM. INDIRA JAIN, J.
DATE : 24th AUGUST, 2017.

Heard learned Counsel for applicant-respondent no.1 and the learned Counsel for appellant.

This Court vide order dated 21/09/2013 granted stay to the execution of impugned judgment and award on appellant's depositing entire decretal amount in this Court on or before 31/10/2013. Learned Counsel for the appellant submits that on 24/10/2013, appellant has deposited the entire decretal amount vide pursis stamp no.11453/2013.

As the entire decretal amount has been deposited, question of dismissal of appeal would not arise. Even otherwise, at the most, stay would not operate in case of non-compliance and the appeal cannot be dismissed for not depositing the decretal amount.

Civil application stands rejected.

JUDGE