

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

CIVIL APPLICATION [CAF] NO.3095 OF 2017
IN
FIRST APPEAL STAMP NO.14891 OF 2017

(National Insurance Co. Ltd.
 vs.
 Bajrang Gendlal Kumbhre and another)

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

Court's or Judge's Orders

CORAM : P.N. DESHMUKH, J.
DATE : 23rd NOVEMBER, 2017.

Heard Shri Ajay Chaphale, learned Counsel for the applicant-appellant.

None for the respondents, though appears to be duly served.

This application is for grant of stay to the effect and operation of judgment and award dated 04/02/2017 passed in M.A.C.P. No.940/2009 by learned Member, Motor Accident Claims Tribunal, Nagpur contending that the appellant-insurance company has deposited the entire decretal amount with the Registry of this Court.

Record reveals that on 26/07/2017, conditional order has been passed granting stay in favour of the appellant on it's depositing entire decretal amount within a period of eight weeks.

Office note reveals that amount of Rs.5,35,745/- is deposited by the appellant.

In that view of the matter, interim stay granted by this Court on 26/07/2017 stands confirmed pending the appeal.

Civil application is disposed of as allowed.

Civil Application [CAF] No.3094/2017 :

Heard.

This application is for condonation of 21 days delay caused in filing the appeal against the judgment and award dated 04/02/2017 passed in M.A.C.P. No.940/2009 by learned Member, Motor Accident Claims Tribunal, Nagpur.

For the grounds mentioned in paragraphs 3 and 4 of the application, delay caused is found satisfactorily explained.

In that view of the matter and as the respondents did not choose to defend the application, the delay caused in filing the appeal is condoned. Civil application is disposed of as allowed.

First Appeal St. No.14891/2017 :

Heard.

Issue notice to the respondents, returnable on 21st December, 2017.

JUDGE

**sdw*