

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

CIVIL APPLICATION (F) NO.1915 OF 2016
IN
FIRST APPEAL STAMP NO.20575 OF 2015

(Sanjay s/o Khemsingh Damahe Vs. Smt. Shobha wd/o Suresh Shukla and others)

*Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.*

Court's or Judge's orders.

Shri N.S. Deshpande, Advocate for Appellant.

CORAM: SMT. DR. SHALINI PHANSALKAR-JOSHI, J.
DATE: 8th JUNE, 2017.

This is an application for seeking condonation of delay of 524 days in preferring first appeal against the judgment and award dated 05.02.2014 passed by the Motor Accident Claims Tribunal, Nagpur in Claim Petition No.40/2006.

Issue notices to the respondent Nos.1 to 6, returnable on 06.07.2017.

Hamdast permitted.

Civil Application (F) No.1916/2016:

This is an application seeking stay to the execution of the judgment and award dated 05.02.2014 passed by the Motor Accident Claims Tribunal, Nagpur in Claim Petition No.40/2006.

It is submitted that the execution proceedings bearing R.D. No.147 of 2015 are already initiated by the respondent-claimant in the Tribunal. It is further

submitted that the appellant is ready to deposit the entire amount of compensation as awarded by the Tribunal within a period of eight weeks.

Learned counsel for the appellant makes a statement at bar that appellant will deposit the entire amount of compensation within a period of eight weeks from today.

In view of this statement the stay is granted to the execution of the award and to the further proceedings in R.D. No.147 of 2015 pending before the Motor Accident Claims Tribunal, Nagpur subject to condition that the appellant to deposit the entire amount of compensation within a period of eight weeks from today.

The amount of compensation being deposited by the appellant, it should be invested in any nationalized bank for a period of 37 months or the decision of this appeal.

On failure of the appellant to deposit the amount within a stipulated period, the stay granted shall automatically stand vacated without further reference to the Court.

The application is disposed of finally.

JUDGE