

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**CIVIL APPLICATION NO. 605 OF 2018
WITH
CIVIL APPLICATION NO. 606 OF 2018
IN
FIRST APPEAL ST. NO. 1845 OF 2018**

Reliance General Insurance Co. Ltd. ...Applicant

Versus

Siddhesh Shyam Shirgaonkar & Anr. ...Respondents

.....
Ms. Poonam Mital for the Applicant.
Mr.T.J.Mendon for Respondent No.1.
.....

**CORAM: MRS.MRIDULA BHATKAR, J.
DATED : FEBRUARY 13 , 2018**

P.C. :

1. Upon urgent mentioning, taken on Production Board.

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2. This application is moved for condonation of delay of 398 days in filing First Appeal.

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

4. The learned Counsel for respondent no. 1 opposes this application.
5. For the reasons mentioned in the Application, delay is condoned.
6. Civil Application is allowed and is accordingly disposed of.
7. First Appeal be registered.

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8. By this Civil Application, the applicant/insurance company seeks stay to the execution and implementation of the judgment and award dated 18.08.2016 passed by the learned Member, Motor Accident Claims Tribunal, Mumbai in M.A.C.P. No. 355 of 2010.
9. The learned Counsel for the applicant submits that the applicant/ insurance company has deposited the entire decretal amount along with interest accrued thereon.

10. In view of this submission, the execution and implementation of the impugned judgment and award is stayed till the final disposal of the Appeal.

11. Civil Application is allowed and is accordingly disposed of.

12. The statutory amount of Rs.25,000/- deposited in this Court at the time of filing of appeal shall be transferred to the Motor Accident Claims Tribunal, Mumbai.

(MRIDULA BHATKAR, J.)