

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

CIVIL APPLICATION NO.3060/2018 IN F.A.ST.NO.1777/2018

Roya Sundaram Alliance Insurance Co. Ltd. Thr. Manager .vs. Anil
Rangnath Lokhande and anr.

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

Court's or Judge's orders.

Mr. D. N. Kukday, Advocate for applicant.
Mr. Sahu, Advocate for non applicant no.1.

CORAM : V.M. DESHPANDE, J.

DATED : OCTOBER 12, 2018

This is an application for condonation of delay. The appeal is filed by Insurance company. There is a delay of 96 days. Though, this application is listed for the first time, suo motu, Mr. Sahu, Advocate appears for non applicant no.1. He submits that he has instructions to make a statement that he shall not oppose the application for condonation of delay. Presence of non applicant no.2 is not necessary for decision of this application.

In that view of the matter, the application is allowed. Delay of 96 days is condoned. Office is directed to register the appeal.

The application is disposed of.

First Appeal Stamp No.1777/2018

Heard.

Admit. Call for the record and proceedings.

Mr. Sahu, Advocate waives notice for respondent no.1.

Civil Application No.3061/2018

This is an application for stay. This application will be considered only after the applicant deposits entire decretal amount before this Court. Mr.Kukday, learned counsel for applicant submits that amount will be deposited within six weeks from today.

In that view of the matter, the application will be considered thereafter. If the amount is deposited, the said shall be accepted.

It is made clear that if execution proceedings are filed then the executing Court shall not treat pendency of the present appeal as stay to the execution proceedings.

JUDGE

kahale