

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

CIVIL APPLICATION (CAF) NO.442 OF 2018

AND

CIVIL APPLICATION (CAF) NO.4604 OF 2017

AND

FIRST APPEAL ST. NO.22107 OF 2017

(IFFCO-TOKIO GENERAL INSURANCE CO. LTD...VS.. NIRMALA NEHRU TALANDE & OTH.)

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

Court's or Judge's orders

Shri D.N.Kukday, Advocate for Applicant/Appellant.

CORAM : Z.A.HAQ, J.

DATED : SEPTEMBER 05, 2018.

By order dated 30th November, 2017 this Court granted interim order in favour of the applicant/appellant and stayed the execution of the impugned award, however, on condition that the applicant/appellant deposits the amount as per the impugned award within four weeks. The amount is not deposited till today. The learned advocate for the applicant/appellant has submitted that by the time he received cheque, time of four weeks granted by this Court to deposit the amount was over and therefore, Civil Application No. 442 of 2018 was filed seeking permission to deposit the amount. For the reasons best known to the applicant/appellant, this application has not been circulated. Today, the learned advocate for the applicant/ appellant states that now another cheque will have to be obtained and deposited and for that he seeks two weeks' time.

The applicant/ appellant has enjoyed the interim order since 30th November, 2017 without complying with the condition of depositing the amount.

The applicant/appellant shall deposit the amount with up-to-date interest till 28th September, 2018. In addition, the applicant/appellant shall deposit Rs.Twenty Thousand for the laxity on its part in complying with the condition imposed by this Court.

In view of the above order, Civil Application No. 442 of 2018 is **disposed**.

List the matter for further consideration on 5th October, 2018.

JUDGE

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