

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

CAF Nos. 4489/2017 & 3219/2016 in First Appeal St. No.6168/2016
(HDFC Ergo General Insurance Co. Ltd. .vs. Geetabai wd/o Ramdas Marathe
and others.)

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

Court's or Judge's orders.

Mr. A.J. Pophaly, Advocate for Applicant.

CORAM : Manish Pitale, J.
DATED : February 16, 2018.

Mr. Pophaly, learned counsel appearing on behalf of the appellant-Insurance Company submits that considering the grounds raised in the appeal, respondent no.5 being the employer of the deceased is not a necessary party and therefore, it would not be necessary to serve the said respondent. It is also pointed out that respondent Nos. 6 and 7 are already served. Therefore, no orders are necessary on Civil Application No. 4489 of 2017 and it is disposed of as such.

Civil Application No. 3219/2016

This is an application for condonation of delay of 40 days in filing the appeal. On 5.10.2016 notice was issued by this Court on the said application. Although served, none appears on behalf of the contesting respondent nos. 1 to 4 and 6 and 7. Therefore, for the reasons stated in the application, same is allowed and the delay is condoned.

Civil Application No. 3220/2016

This is an application for grant of stay. While issuing notice on this application on 5.10.2016, this Court had directed that there shall be stay of the execution proceedings if the appellant deposits the decretal amount in this Court within three months. It is pointed out that the appellant has deposited the said amount. Accordingly the interim order dated 5.10.2016 is confirmed and this application is disposed of.

This appeal is ready for hearing and let it be listed for final disposal after four weeks.

JUDGE

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