

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

CIVIL APPLICATION (CAO) NO.776 OF 2018
WITH
MISC. CIVIL APPLICATION ST NO. 4333 OF 2018
WITH

FIRST APPEAL STAMP NO.16437 OF 2015 (RC 59/18)

(RELIANCE GENERAL INSURANCE CO.LTD.....VS.. SMT. PANCHAFULABAI PANDURANG AMBULKAR
& 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.
Shri H.D.Dube, A.G.P. for Non-applicant/Respondent No.2.

CORAM : Z.A.HAQ, J.

DATED : SEPTEMBER 26, 2018.

CIVIL APPLN.NO.776/2018 & MCA ST.4333/2018.

As the registration of the civil application praying for condonation of delay in filing the appeal was refused for not removing the office objections, without issuing notice to the non-applicants/respondents and accepting the explanation given in the applications, the delay of 2 days in filing the Miscellaneous Civil Application Stamp No. 4333 of 2018 is condoned, the order passed by this Court on 11th January, 2018 is recalled and First Appeal Stamp No. 16437 of 2015 along with Civil Application Stamp No. 16439 of 2015 are restored.

Civil Application No.776 of 2018 and Misc. Civil Application No.4333 of 2018 are allowed accordingly. However, for the lapse on the part of the applicant /appellant in prosecuting the matter diligently, the applicant/ appellant shall deposit Rs.Twenty Thousand with the Registry of this Court and produce receipt of it on record by next date.

CIVIL APPLN.ST.NO.16439/2015.

Issue notice to the non-applicant/ respondent, returnable on **18th December 2018.**

The learned advocate for the applicant/ appellant states that copy of memo of appeal will also be supplied to be served on the non-applicant/respondent along with this application.

Call R & P.

CIVIL APPLN.ST.NO.16438/2015.

Issue notice to the non-applicant/ respondent, returnable on **18th December, 2018.**

If the impugned award is not already executed, there shall be ad-interim stay to the execution of the impugned award until further orders, however, on condition that the applicant/appellant deposits the entire amount as per the impugned award with the Registry of this Court till 11th December 2018, calculating interest as directed by the Tribunal till the date on which the amount would be deposited.

If the applicant/appellant fails to deposit the amount within stipulated time, the interim order shall cease to operate from 12th December 2018 and the claimants will be at liberty to proceed with the execution.

JUDGE