

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

CIVIL APPLICATION (CAF) NO.1345 OF 2018

IN

FIRST APPEAL STAMP NO. 8029 OF 2015

(THE ORIENTAL INSURANCE CO. LTD.....VS.. SMT. VIBHA SANJAYRAO GULHANE & 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 V.D.Awachat, Advocate for N.A./Respondent Nos. 1, 3 & 4.

CORAM : Z.A.HAQ, J.

DATED : APRIL 20, 2018.

By this application the appellant/Insurance Company seeks permission to deposit the amount as per the impugned award and prays that the execution proceedings be stayed.

This appeal is pending since 2015. By order dated 17th June, 2017 interim order was granted in favour of the appellant, however on condition that the appellant deposits amount of compensation within six weeks. The appellant failed to comply with the condition and therefore, the interim order granted on 12th June, 2017 ceased to operate after six weeks from 12th June, 2017.

The learned advocate for the appellant states that the cheque for the amount is ready.

Considering the facts of the case, the appellant is permitted to deposit the amount. The interim order granted on 12th June, 2017 is restored.

For the lapses on the part of the appellant in dealing with the matter, the appellant/Insurance Company shall pay costs of Rs.Ten Thousand to the respondent Nos.1 to 4 / claimants.

The receipt showing payment of costs shall be filed on record of this appeal within ten days.

The civil application is **disposed** in the above terms.

JUDGE

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