

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

CIVIL APPLICATION (CAF) NO.2265/2018 IN FA ST.NO.15335/2018

Mushtaq Ahmad s/o Sheikh Abdul Rafiq Sheikh and anr

..VS..

Amol s/o Laxman Tarjule and anr

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

Court's or Judge's Order

.....
Shri J.D. Bastian, Counsel for the applicants.

Mrs. Shilpa Tapadia, Counsel for non-applicant No.1.

CORAM : V.M. DESHPANDE, J.

DATED : OCTOBER 16, 2018.

1. This is an application for condonation of delay in filing an appeal. Delay is of 544 days.
2. The applicants were respondents before the Motor Accident Claims Tribunal, Bhandara. On 26.7.2018, Notices on this application were already issued. In pursuance to the said, the original claimant appears through his counsel.
3. Learned counsel Mrs. Shilpa Tapadia for non-applicant No.1 vehemently opposes the present application. However, as per averments made in the application, earlier counsel who used to look after the case has unfortunately expired. Therefore, there is the delay.
4. I am satisfied for the reasons given by the applicants.
5. Hence, the application is allowed. The delay is hereby condoned. Office to register the first appeal. The

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civil application stands disposed of accordingly.

FA ST.NO.15335/2018

1. Heard learned counsel Shri J. D. Bastian for the appellants.
2. Issue Notices to the respondents, returnable after

Civil Application No.2266/2018

1. This is an application for grant of Stay.
2. Learned counsel Shri J.D. Bastian for the applicants submits that the applicants have deposited Rs.70,000/- before the Tribunal in Regular Darkhast No..32/2017. The decree passed was for Rs.1,50,000/- along with interest at the rate of 9% per annum.
3. The applicants are, therefore, directed to deposit remaining amount before this Court within a period of 6 weeks from today.
4. Respondent No.1 is permitted to withdraw amount of Rs.70,000/- deposited by the applicants before the Executing Court. The Executing Court is hereby directed to allow the claimant to withdraw amount of Rs.70,000/- along with interest accrued thereon.
5. Put up the present matter for further consideration after eight weeks.
6. Since this Court has permitted the claimant to withdraw amount of Rs.70,000/- along with interest accrued thereon, there shall be Stay in respect of the remaining

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amount, till next date.

JUDGE

!! BRW !!

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