

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

CIVIL APPLICATION (CAF) NO.579/2018

IN

FIRST APPEAL ST. NO.20658/2017

H.D.F.C. Ergo General Insurance Co. Ltd., through its Branch Manager, Nagpur
...Versus...

Ajay s/o Rajesh Hanmalwar and another

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

Court's or Judge's orders

Shri H.N. Verma, Counsel for applicant
Ms S.V. Kaplay, Counsel h/f Shri Rohit Joshi, Counsel for respondent no.1/cross-objector

CORAM : ARUN D. UPADHYE, J.

DATE : 16/10/2018

Heard.

There is a delay of 77 days caused in filing the first appeal.

Having heard the learned Counsel for the applicant and having gone through the contents of the application, I find that sufficient cause has been made out for condoning the delay. Hence, the delay caused is condoned. The civil application is allowed.

FIRST APPEAL ST. NO.20658/2017

Heard.

ADMIT.

Learned Counsel Ms Kaplay holding for Shri Rohit Joshi learned Counsel waives service of notice for the respondent no.1.

Put up on 27/11/2018 for final hearing.

CROSS OBJECTION (XOB) NO.103/2018

Heard.

ADMIT.

Learned Counsel Shri H.N. Verma waives service of notice for the respondent no.2.

To be heard along with First Appeal.

CIVIL APPLICATION (CAF) NO.580/2018

Heard.

The learned Counsel for the applicant submitted that the entire amount of compensation has been deposited in this Court and prays for stay to the impugned judgment and award.

In view of the statement made by the learned Counsel for the applicant, the civil application is allowed. The impugned judgment and award dated 3/4/2017 passed by the Member, Motor Accident Claims Tribunal, Chandrapur in M.A.C.P. No.30/2014 is stayed till disposal of the first appeal.

JUDGE