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

CIVIL APPLICATION (F) NO.4591/2017
IN FIRST APPEAL STAMP NO.21797/2017
IFFCO-TOKIO General Insurance Co. Ltd. Akola .vs. Arshiya Anjum Wd/o Vasim Shahzad and ors.

Office Notes, Office Memoramda of Coram, appearances, Court's orders of directions and Registrar's Orders.	Court's or Judge's orders.

Mr. S. Jaiswal, Advocate for applicant.

CORAM : V.M. DESHPANDE, J.
DATED : OCTOBER 5, 2018

This is an application for condonation of delay. The delay is of 141 days. Notices on these application were issued on 30.11.2017. In pursuance to the notices, respondent nos. 1 to 6 are served.

. Heard Mr. Kukday, learned counsel for the applicant. Though the non applicants are duly served, nobody is appearing on the behalf. Consequently, statements made on affidavit for condonation of delay remain uncontroverted.

After hearing learned counsel for the applicant and after having gone through the contents of the application, I am satisfied that the applicant has made out a case for condonation of delay of 141 days in filing the appeal. Hence, the delay is condoned. Office is directed to register the appeal.

The application is disposed of.

First Appeal Stamp No.21797/2017

Heard.

Admit. Call for the record and proceedings.

Civil Application No.4592/2017

This is an application under order 41 Rule 5 of the Code of Civil Procedure for stay of the impugned award. On 30.11.2017, notices on this application were issued and ad interim stay was granted on a condition that the appellant has deposited entire decreetal amount. Office note shows that in pursuance of the order, the appellant has already deposited the amount of Rs.10,07,093/- before this Court, which is the amount awarded by the Motor Accident Claims Tribunal, Akola.

In that view of the matter, the application is allowed. Interim order dated 30.11.2017 is hereby confirmed.

The application is disposed of.

JUDGE

kahale