

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

C.A.F. NO. 587/2018 IN FIRST APPEAL ST. NO. 1987/2018

(THE ORIENTAL INSURANCE CO.LTD., AMRAVATI ...VERSUS... MOTIRAM UJU BHUSUM
 & ANOTHER)

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

Court's or Judge's orders

Shri C.C. Anthony, counsel for the applicant.
 Shri S.S. Alaspurkar, counsel for the NA-1.
 Shri D.S. Khushalani, counsel for the NA-2.

CORAM : N.W. SAMBRE, J.

DATE : NOVEMBER 26, 2018.

The learned counsel for the applicant submits that the applicant has properly explained the delay of 167 days and the same being bona fide, is liable to be condoned.

The prayer is opposed by the learned counsel for the non-applicant no.2 on the ground that the delay is not properly explained.

For the reasons disclosed, the delay of 167 days in preferring the present appeal stands condoned.

F.A. ST. NO. 1987/2018.

Heard. **ADMIT.**

Learned counsel Shri S.S. Alaspurkar waives notice of hearing on behalf of the respondent no.1.

Learned counsel Shri D.S. Khushalani waives notice of hearing on behalf of the respondent no.2.

The appellant to file the private paper book within six months, failing which the appeal shall stand dismissed without further reference to the Court.

By consent, the matter be placed on 08.12.2018 before the Lok Adalat along with C.A.F. Nos. 586 of 2018, 588 of 2018, 590 of 2018 and 592 of 2018.

C.A.O. NO.1845/2018.

Since the original appellant-Insurance Company has already deposited the decretal amount, the prayer made in the application

though objected by the appellant, stands granted. The application is allowed. The order dated 19.09.2018 is accordingly modified.

C.A.F. NO. 588/2018.

In view of deposit of the entire decretal amount, the application stands allowed in terms of prayer clause (i).

The application is disposed of accordingly.

JUDGE

APTE