

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

CIVIL APPLICATION (CAF) NO.4620/2017

IN

FIRST APPEAL ST. NO.24915/2017

ICICI Lombard General Insurance Co. Ltd. Mumbai – 440025 through its

Manager

...Versus...

Smt. Rajkumari s/o Indal Padole and another

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

Court's or Judge's orders

Ms A.S. Athalye, Counsel for applicant
Ms M.H. Pathade, Counsel for respondent no.1

CORAM : ARUN D. UPADHYE, J.

DATE : 16/10/2018

Heard.

There is a delay of 113 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 is made out for condoning the delay. Hence, the delay caused is condoned. The civil application is allowed.

FIRST APPEAL ST. NO.24915/2017

Heard.

ADMIT.

Learned Counsel Ms M.H. Pathade waives service of notice for the respondent no.1.

Put up on 22/10/2018 for final hearing.

CIVIL APPLICATION (CAO) NO.1721/2018

Heard.

It is submitted that cheque No.602037 for Rs.14,504/- is wrongly deposited in First Appeal St. No.24915/2017 instead of First Appeal St. No.24885/2017. Therefore, this amount be transferred to First Appeal St. No.24885/2017. The learned Counsel further submitted that another cheque No.602036 for Rs.27,980/- was wrongly deposited in First Appeal St. No.24885/2017 and therefore the same amount be transferred to First Appeal St. No.24915/2017.

Considering the submissions of the learned Counsel for the applicant, the civil application is allowed as prayed for. The amount of Rs.14,504/- be transferred to First Appeal St. No.24885/2017 and the amount of Rs.27,980/- be transferred to First Appeal St. No.24915/2017.

The civil application stands disposed of.

JUDGE

Wadkar, P.S.