

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

CA/11426/2018 IN FAST/27401/2018
WITH
CA/11427/2018 IN FAST/27401/2018

ICICI LOMBARD GENERAL INSURANCE CO. LTD., THR ITS DIV.
MANAGER, Aurangabad.

vs

VIKAS BHAUSAHEB FATANGARE & Anr.

....

Mr. AG Choudhari, Adv. For applicant;
Mr. AT Kanawade, Adv. For Respondent No.1.

CORAM : P.R. BORA, J.

DATED : 28th January, 2019.

PER COURT:-

1. Since the insurance company has disputed the quantum of compensation only, service of notice to Respondent No.2, i.e. owner of the vehicle is dispensed with. The claimant has been duly served and has caused appearance through his counsel. Service complete.

2. For the reasons stated in the application, which according to me are just and sufficient, delay of 100 days caused in filing the appeal is condoned. The CA for condonation of delay is disposed of.

3. The appeal be registered in accordance with law. On registration of the appeal, issue notice to the respondents. Learned counsel for

(2)

respondent No.1 waives notice. Service complete.

4. In view of the fact that the insurance company has deposited the entire amount of compensation, the interim stay granted in favour of the applicant is made absolute. CA for stay is disposed of.

5. Call R and P.

6. List the matter for final disposal at admission stage after six weeks.

(P.R. BORA)
JUDGE

bdv