

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

CIVIL APPLICATION NO. 1558 OF 2016
IN
FIRST APPEAL (ST) NO.6583 OF 2016
WITH
CIVIL APPLICATION NO. 1559 OF 2016
IN
FIRST APPEAL (ST) NO. 6583 OF 2016

United India Insurance Co. Ltd. ..Applicant

v/s.

Sayali Sanjay Jadhav & Ors. ..Respondents

Ms. Varsha Chavan for the Applicant/Appellant
Mr. T.J.Mendon for the Respondent Nos.1 and 2.

**CORAM : SMT. ANUJA PRABHUDESSAI, J.
DATED : 06th JUNE, 2019.**

P.C.

1. By Civil Application No. 1558 of 2016, the applicant has sought to condone the delay of 34 days in filing the appeal. The learned Counsel for the respondent Nos.1 and 2 has no objection for condoning the delay. In view of the statement made by the learned Counsel for the respondent nos.1 and 2 and also having considered

the reasons set out in the application, which in my view constitute sufficient grounds , the delay in filing the appeal is condoned.

2. Appeal be registered. Mr. Mendon, the learned Counsel for the Respondent nos.1 and 2 waives service, on behalf of respondent nos.1 and 2.

3. The learned Counsel for the appellant states that no statutory defence is raised and that the notice against the respondent no.3 be dispensed with. In the light of the said statement, notice against respondent no.3 is dispensed with.

4. Upon registration of the appeal, the appeal be listed for admission after two weeks.

5. The learned Counsel for the appellant states that the entire amount, as per the award has been deposited before the Tribunal in compliance with the Order dated 25.4.2016. The said statement is not disputed by the learned Counsel for the respondent nos.1 and 2. In the light of the above, the interim stay granted by Order dated 25.4.2016 to continue till the disposal of the appeal.

6. Civil Application No.1558 of 2016 and Civil Application

No.1559 of 2016 stands disposed of.

(ANUJA PRABHUDESSAI, J.)