

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

**CIVIL APPLICATION NO.2363 OF 2018
IN
FIRST APPEAL (STAMP) NO.12816 OF 2018
WITH
CIVIL APPLICATION NO.2364 OF 2018
IN
FIRST APPEAL (STAMP) NO.12816 OF 2018**

IIFCO TOKIO General Insurance Co. Ltd.	...Applicant
V/s.	
Nanasaheb @ Nanaji Thakaji Thakare & Ors.	...Respondents

Ms. Dipika Prabhala, advocate for the applicant.
None for the respondents.

**CORAM: SMT. ANUJA PRABHUDESSAI, J.
DATED : 20th AUGUST, 2019.**

P.C.:

ORDER IN CIVIL APPLICATION NO.2363 OF 2018:-

The applicant herein has sought to condone the delay of 61 days in filing the first appeal challenging the judgment and award dtd. 11/10/2017 passed by the learned Member, MACT, Nashik in Claim Application No. 04 of 2014.

2. The respondent Nos. 1, 2 and 4 have not resisted the application, though they have duly served.

3. In the light of the reasons stated in paragraph 9 of the application, which in my considered view constitute sufficient cause,

the application is allowed. The delay is condoned.

4. Civil Application is disposed of.

ORDER IN CIVIL APPLICATION NO.2364 OF 2018:-

5. By this application, the applicant has sought to stay the execution and implementation of the impugned judgment.

6. The learned counsel for the applicant states that the applicant / insurance company has deposited the entire amount as per the impugned judgment before the MACT.

7. In the light of the said statement, execution and implementation of the impugned judgment and award is stayed till the disposal of the appeal.

8. Civil Application is disposed of.

ORDER IN FIRST APPEAL (STAMP) NO.11513 OF 2016:-

9. The appeal be registered subject to removal of office objections, if any.

10. Issue notice to the respondent Nos.1 and 2.

11. Learned counsel for the appellant states that the insurance company has not raised any statutory defence, and hence, notice to respondent Nos. 3 and 4 is dispensed with.

12. Appeal be listed for admission after two weeks.

13. Stand over to 03/09/2019.

(SMT. ANUJA PRABHUDESSAI, J.)