

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

**CIVIL APPLICATION NO.124 OF 2019
WITH
CIVIL APPLICATION NO.125 OF 2019
IN
FIRST APPEAL (STAMP) NO.19403 OF 2018**

Nagesh Suresh Garud ...Applicant
Versus
The Iffco Tokio General Insurance
Company Limited and Anr. ...Respondents
.....
Mr. Vikrant Parashurami for the Applicant.
Ms Rina Kundu for the Respondent No.1.

CORAM : SMT. ANUJA PRABHUDESSAI, J.

DATED: 16th AUGUST, 2019.

P.C.:-

ORDER IN CIVIL APPLICATION NO.124 OF 2019:-

The Applicant has sought to condone delay of 3 days in filing the first appeal challenging the judgment and award dated 15th March, 2018 passed by the learned Member, M.A.C.T., Thane, in M.A.C.P. No.213 of 2014.

2. In the light of the reasons stated in paragraph 32 of the application, which in my considered view constitute sufficient cause, the application is allowed. The delay is condoned.

ORDER IN FIRST APPEAL (STAMP) NO.19403 OF 2018:-

3. The appeal be registered after removing office objections, if any. Ms Rina Kundu, the learned counsel waives service on behalf of the Respondent No.1. Issue notice to the Respondent No.2, returnable on 13/9/2019.

ORDER IN CIVIL APPLICATION NO.125 OF 2019:-

4. By order dated 6th February, 2019 this Court had granted ad-interim stay to the execution and implementation of the impugned judgment and award subject to deposit of compensation within a period of one week.

5. The learned counsel for the Appellant states that the amount of compensation as per the impugned judgment and award is already deposited. Statement is accepted.

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

7. The application stands disposed of.

(SMT. ANUJA PRABHUDESSAI, J.)