

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

Civil Application (CAF) No.1964 of 2019
in
First Appeal St. No.5742 of 2019
(The Oriental Insurance Co. Ltd. , Nagpur .vs. Ashok Aasaram Shelokar and
others.)

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

Mr. Lalit Limaye, Advocate for Applicant.

CORAM : Manish Pitale, J.
DATED : September 26, 2019.

This is an application seeking condonation of delay of 234 days in filing the accompanying appeal. The applicant/appellant is the Insurance Company which has challenged the impugned judgment and order passed by the Tribunal. Although respondent Nos. 1 to 3 are served in pursuance of notice issued by this Court on 30.04.2019, none has appeared on their behalf. The office note shows that respondent nos. 4 and 5 i.e. driver and owner of the offending vehicle have not been served with the notice of this application. But, it is pointed out by the learned counsel for the applicant that the said respondents have been served in connected applications/appeals, which have arisen out of the same incident. Hence, for the limited purpose of considering the prayer for condonation of delay, service on the said respondents is not necessary particularly when delay in filing the connected appeal has been condoned.

2. Heard learned counsel for the applicant.
3. For the reasons stated in the application, the

same is allowed and the delay is condoned.

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It is pointed out by the learned counsel for the appellant that in connected appeal, notice is already issued by this Court. Hence, issue notice, returnable in 6 weeks. Tag with First Appeal St. No.3618 of 2019.

Civil Application (CAF) No. 1965 of 2019

This is an application for stay moved on behalf of the appellant. On 30.04.2019, stay of the impugned judgment and order of the Tribunal was granted subject to deposit of the entire amount of compensation granted by the Tribunal. It is brought to the notice of this Court that such deposit of amount has been made by the appellant. Hence, the interim order of stay granted by order dated 30.04.2019 is confirmed and this application is disposed of.

JUDGE

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