

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

**CIVIL APPLICATION (CAF) NO.2721/2018**

**IN**

**FIRST APPEAL ST. NO.20785/2018**

**I.C.I.C.I. Lombard General Insurance Company Limited, Nagpur through its**  
**Legal Manager**

**...Versus...**

**Sau. Baby Mahadeorao Khiratkar and others**

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

Shri R.D. Bhuihar, Counsel for applicant  
Ms C.R. Dhoke, Counsel h/f Shri A.M. Quazi, Counsel for respondent nos.1 and 2

**CORAM : ARUN D. UPADHYE, J.**

**DATE : 18/01/2019**

Heard.

Perused the application. There is a delay of 78 days caused in filing the first appeal.

For the reasons stated in the application, the delay caused in filing the first appeal is condoned. The civil application is allowed. No order as to costs.

**FIRST APPEAL ST. NO.20785/2018**

Heard.

Issue notice to the respondents, returnable on 15/02/2019.

Learned Counsel Ms C.R. Dhoke h/f Shri A.M. Quazi, learned Counsel, waives service of notice for the respondent nos.1 and 2.

**CIVIL APPLICATION (CAF) NO.2722/2018**

Heard.

The learned Counsel for the applicant has submitted that the amount of award has already been deposited before the Commissioner.

In view of the statement made on behalf of the applicant, the impugned judgment and award dated 3/5/2018 passed by the Commissioner under the Employee's Compensation Act, 1923 and Judge, Labour Court, Yavatmal in W.C.A. No.14/2012 is stayed, until further orders.

**JUDGE**

Wadkar, P.S.