

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

C.A.F. NO.1592/2019

IN

FIRST APPEAL STAMP NO.24459/2018

Maharashtra State Road Transport Corporation

..Vs..

Sameer S/o Raju Baile and another

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

Court's or Judge's orders

Shri V.D. Awchat, Advocate for respondent No.1.
Shri P.V. Rajurkar, Advocate for respondent No.2.

CORAM : NITIN W. SAMBRE, J.

DATED : 3.10.2019

1] Shri Wankhede, learned Counsel for the appellant, on instructions, submits that the entire amount of compensation will be deposited in this Court within a period of six weeks from today. Since the statement is made on instructions, same is accepted as an undertaking. In view of above, there shall be no coercive steps against the appellant. Civil Application (C AF) No.1593/2019 is **disposed of**. No costs.

2] Heard respective counsel.

3] There is delay of 38 days caused in preferring the appeal. The payer for condonation of delay is opposed by the learned Counsel for the respondents. However, because of cause cited, which appears to be sufficient, delay stands condoned. Civil application

(CAF) No.1592/2019 is **allowed** accordingly. No costs.

4] Shri Wankhede, learned Counsel would argue the case of composite negligence. According to him, the accident occurred when the vehicle of the appellant was stationary. In view thereof and having reasons recorded in para 8 of impugned judgment, **Admit**.

5] Call R & P.

6] Shri V.D. Awchat, Advocate waives notice for respondent No.1.

7] Shri P.V. Rajurkar, Advocate waives notice for respondent No.2.

JUDGE