

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

24 CIVIL APPLICATION NO.1252 OF 2020
IN FAST/1280/2020 WITH CA/1253/2020 IN FAST/1280/2020

SHRIRAM GENERAL INSURANCE CO. LTD., AND ANR
VERSUS
PARMESHWAR LAXMAN KADAM AND ORS

Mr V.N. Upadhye, Advocate for applicants

CORAM : SHRIKANT D. KULKARNI, J.

DATE : 8th February, 2022

PER COURT :

1. Civil Application No.1252 of 2020 is moved for condonation of delay and Civil Application No.1253 of 2020 is moved for direction not to disburse the amount of compensation.
2. Heard Mr V.N. Upadhye, learned Advocate for applicants. Respondents no.1 to 3 though served with notice, remained absent when matter is called out.
3. So far as application for condonation of delay is concerned, there seems to be delay of 310 days in preferring the appeal.
4. So far as another Civil Application no.1253 of 2020 is concerned, this Court, under order dated 3.2.2020 was pleased to stay the execution/operation and implementation of the impugned judgment and award passed by the learned Ex-officio Commissioner for the Employees (Workmens') Compensation and Judge, Labour Court, Nanded in W.C.A. No.83 of 2014 dated 5.1.2019 till further orders.
5. It is pointed out by Mr Upadhye, learned Advocate for the applicants that the appellant/Insurance Company has deposited the entire

amount of compensation awarded by the Commissioner. The interim stay granted by this Court needs to be confirmed.

6. Having regard to the submissions made by Mr Upadhye, learned Advocate for the applicants and for the reasons stated in the delay condonation application, delay occurred in preferring the appeal needs to be condoned and the interim stay granted by this Court needs to be confirmed.

ORDER

(i) The application for condonation of delay is hereby allowed in terms of prayer clause (A).

(ii) The Registry to make scrutiny of the appeal as per procedure and thereafter it be numbered and placed before the Court for admission.

(iii) The interim stay granted by this Court under order dated 3.2.2020 is hereby confirmed till final decision of the appeal.

(iv) The compensation amount deposited by the appellant/Insurance Company shall not be disbursed to the claimants till final decision of the appeal.

(v) Informed the concerned Court accordingly.

(vi) Both the Civil Applications are accordingly disposed of.

(SHRIKANT D. KULKARNI, J.)