

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

CIVIL APPLICATION NO. 3616 OF 2018
IN
FIRST APPEAL NO. 496 OF 2017

Smt. Bharati Rajendra Kale & Ors, ..Appellant/Applicant.

v/s.

M/s. Safety Motors Pvt. Ltd. ..Respondents

Mr. Amrin Khan i/b. Avinash Gokhale for the Respondent No.1.
Ms. Sweta Shah Aditya Mahadik i/b. Abhijit Kulkarni for the
Respondent No.2.

**CORAM : ANUJA PRABHUDESSAI, J.
DATED : 25th JULY, 2022.**

P.C.

1. The Respondent Claimant has filed this application for vacating the stay granted by this Court mainly on the ground of non-compliance of orders dated 6.4.2017 and 15.12.2017.
2. Order dated 6.4.2017 records the statement of the Applicant that the entire amount awarded under the impugned judgment has been deposited before the Court. This Court had directed the Appellant to deposit the balance amount, in case there is short deposit, within a period of two weeks.
3. By order dated 15.12.2017, the Appellant was permitted to amend the cause title. Though learned Counsel for the Respondent Claimant states that the Appellant has not deposited the entire amount, he is

unable to state what is the deficit amount that the Insurance Company is liable to pay. It is also to be noted that the Appellant has already amended the cause title and as such there is no merit in the contention that the order dated 15.12.2017 is not complied with. Hence no grounds are made out for vacating the stay.

4. Application stands dismissed.

(ANUJA PRABHUDESSAI, J.)