

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

**FIRST APPEAL NO. 585 OF 2018
WITH
CIVIL APPLICATION NO. 2350 OF 2017
IN
FIRST APPEAL NO. 585 OF 2018**

The HDFC Ergo General Insurance
Company Limited

.... Appellant

v/s.

Smt. Suhasini Balasaheb Wahane
and ors.

.... Respondents

Mr. Abhijeet Kulkarni for the Appellant.
Mr. T.J. Mendon for Respondent Nos.1 and 2.

CORAM: SMT. ANUJA PRABHUDESSAI, J.

DATED : 29th JULY, 2022.

P. C. :-

. Order dated 16/08/2017 records the statement of the learned counsel for the Appellant – Insurance Company that the Insurance Company would deposit the entire decretal amount along with interest within a period of eight weeks. In the light of said statement, this Court had stayed execution and implementation of the impugned judgment and award.

2. It is stated that till date, the amount has not been deposited. The stay granted by order dated 16/08/2017 stands vacated.

3. Office remark indicate that the Appeal is dismissed as against Respondent Nos.1 to 4 who are the original claimants and that it is abated as against Respondent No.5, the owner of the vehicle for non compliance of the conditional order dated 19/03/2018. No Application has been filed for restoration of the Appeal. Nothing survives in the Appeal. Hence, the Appeal stands dismissed.

4. Pending Civil Application stands dismissed in view of dismissal of the Appeal.

**PREETI
H JAYANI**

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(SMT. ANUJA PRABHUDESSAI, J.)