

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

**INTERIM APPLICATION NO. 28 OF 2019
(Delay Condonation)
WITH
INTERIM APPLICATION NO. 29 OF 2019
(Stay)
IN
FIRST APPEAL (ST) NO. 25039 OF 2019**

Maharashtra State Road Transport
Corporation (MSRTC), through
Divisional Controller, Nashik Division ...Applicant

Vs.

Sunanda Tukaram Mahajan
(Khairnar) & Ors. ...Respondents

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Mr. Manjeet Lotankar i/b. Mr. Dhananjay Rananaware, for the
Applicant.

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CORAM : SHRIKANT D. KULKARNI, J.

DATE : 21 JUNE, 2022

P.C.

. It is an application for condonation of delay moved by the
Applicant / Appellant.

2. Heard Mr. Manjeet Lotankar holding for Mr. Dhananjay Rananaware, learned counsel for the Applicant / MSRTC. None present for Respondent Nos.1 to 3 though notices are duly served.

3. It seems that there is delay of 62 days in preferring an appeal. By looking to the small volume of delay and for the reasons stated in the application for condonation of delay in para Nos.3 to 5, the delay needs to be condoned in the interest of justice.

4. By way of Interim Application No.29/2019, the Applicant / Appellant is seeking stay to the impugned judgment and award passed by the Motor Accident Claims Tribunal, Nashik. Mr. Manjeet Lotankar, learned counsel for the Applicant submits that the Appellant / MSRTC has deposited entire decretal amount with the Tribunal. As such, the prayer needs to be allowed.

ORDER

(i) Interim Application No.28/2019 for condonation of delay is hereby allowed, in terms of prayer clause 7(b).

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

(iii) Interim Application No.29/2019 for stay is hereby allowed.

(iv) The operation and execution of the impugned judgment and award passed in M.A.C.P. No.792/2017 by the Motor Accident Claims Tribunal, Nashik, is hereby stayed till final disposal of the appeal, in view of deposit of entire decretal amount by the Appellant / MSRTC with the Tribunal.

(v) Inform to concerned Tribunal accordingly.

(vi) The interim applications are accordingly disposed of.

(SHRIKANT D. KULKARNI, J.)