

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CIVIL APPLICATION (CAF) NO.2059 OF 2021 IN
FIRST APPEAL STAMP NO. 9905 OF 2021

The Branch Manager, SBI, General Insurance Co. Ltd. Vs. Vitthal s/o
Bapurao Bhagat and others

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions Court's or Judge's orders.
and Registrar's Orders.

Ms Mrunal Naik, Advocate for applicant.
Shri Madhur Deo, Advocate for respondent no.3.

CORAM : SMT. ANUJA PRABHUDESSAI, J.
DATED : 24th FEBRUARY, 2022

By this application, the applicant has sought to condone the delay of 58 days in filing the appeal under Section 173 of the Motor Vehicles Act, 1988.

2. Respondent nos.1 and 2 have not contested application despite service.

3. Shri Madhur Deo, learned counsel for respondent no.3 has no objection.

4. In the light of the said statement and in view of the reasons as stated in the application, the delay is condoned. Appeal be registered, upon removal of office objection, if any.

5. The application stands disposed of.

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6. Heard.

7. **Admit.**

8. Call for record and proceedings.
9. Shri Madhur Deo, learned counsel waives service of notice on behalf respondent no.3.
10. Issue notice to respondent nos.1 and 2, returnable in four weeks.

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11. Ms Mrunal Naik, learned counsel for the appellant/Insurance Company submits that entire compensation as per award has been deposited before this Court.
12. In the light of the said statement, the execution and implementation of the impugned judgment and award is stayed pending hearing of the appeal.
13. The application stands disposed of.

JUDGE

Wagh