

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

INTERIM APPLICATION NO.13415 OF 2023

WITH

INTERIM APPLICATION NO.13416 OF 2023

IN

FIRST APPEAL(ST) NO.6915 OF 2023

IFFCO-TOKIO General Insurance Co.

Ltd., Mumbai

...Applicant

Versus

Mr. Rizwan Maqbool Shaikh And Ors.

...Respondents

Ms. Deepika Prabhala a/w Ms. Riddhi Chavan i/by Res Juris for
the Applicant/Appellant.

CORAM : RAJESH S. PATIL, J.

DATED : 12th OCTOBER, 2023.

PC.:

INTERIM APPLICATION NO.13415 OF 2023

1. Not on Board. Mentioned. Taken on Board.
2. This Application is filed for condoning the delay of 26 days in filing the First Appeal.
3. This Court by its Order dated 19th July, 2023 had issued notice to Respondents. The Advocate for the Appellant has tendered a photo copy of Affidavit of Service dated 12th October, 2023. The Affidavit of Service states that Respondent No.1 was

served on 16th September, 2023. A copy of letter of Advocate for Appellant is also annexed to the Affidavit of Service, which prove that Respondent No.1 has been served.

4. Today nobody is appearing for the Respondents.

5. I have heard Advocate for the Appellant and I have gone through the contents of the Interim Application. In paragraph 3, 4, 5 and 6 specific reasons have been stated for condoning the delay of 26 days. According to me, the case is made out to allow this Interim Application.

6. Interim Application is allowed in terms of prayer clause (b);

7. Interim Application stands disposed off.

INTERIM APPLICATION NO.13416 OF 2023

1. Not on board. Mentioned. Taken on board.

2. This Interim Application is filed for seeking stay to the execution and implementation of the impugned Judgment dated 22nd November, 2022 passed in Application (ECA) No.350/C-72 of 2013 by Fourth Labour Court, Mumbai.

3. This Court by Order dated 19th July, 2023 and granted

interim relief of stay to the impugned Judgment.

4. As the entire amount of the impugned Judgment has been deposited before the Labour Court, the stay granted by this Court on 19th July, 2023, is further extended till the disposal of the First Appeal.

5. Interim Application stands disposed off.

(RAJESH S. PATIL, J.)