

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

**FIRST APPEAL (ST.) NO.13996 OF 2018
WITH
CIVIL APPLICATION NO.4207 OF 2018
WITH
CIVIL APPLICATION NO.4208 OF 2018
IN
FIRST APPEAL (ST.) NO.13996 OF 2018**

Maharashtra State Road Transport Corporation ... Appellant
Vs.
Smt. Meenabai Dinesh Patil and ors. ... Respondents

Ms.Drishti Jain h/f Ms.P.M.Bhansali, Advocates for the Appellant.
None for the Respondents.

**CORAM : ABHAY AHUJA, J.
DATE : 04 AUGUST, 2023.**

P.C. :

CIVIL APPLICATION NO.4207 OF 2018

1. This is an application seeking condonation of delay of 102 days in preferring an appeal against judgment and award dated 23rd August, 2017 passed by the Motor Accident Claims Tribunal, Mumbai in Claim Application No.818 of 2012.

2. Ms.Drishti Jain, learned counsel for the Appellant submits that the delay has been caused as stated in paragraph No.2 of the said application. Learned counsel submits that the Respondents have been served and an affidavit of service dated 23rd June, 2023 has also been filed on record which indicates service to Respondents/Claimants. The Respondents though served, are not present / not represented.

3. Having heard the learned counsel and having perused the application, this court is of the view that there is sufficient cause in condoning of the delay in filing the appeal.

4. Let the delay be condoned.

5. The application stands disposed. Let the First Appeal be registered.

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6. List the First Appeal on 14th September, 2023, for admission.

CIVIL APPLICATION NO.4208 OF 2018

7. This is an application seeking to stay the execution of the judgment

and award dated 23rd August, 2017 passed by the Motor Accident Claims Tribunal, Mumbai in Claim Application No.818 of 2012. Learned counsel for the Appellant submits that the execution be stayed subject to deposit of entire decretal amount.

8. Having heard the learned counsel and having perused the application, this court is of the view that the execution of the impugned judgment and award be stayed subject to deposit of entire decretal amount within a period of four weeks.

9. List on 14th September, 2023.

(ABHAY AHUJA, J.)