

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

CAF NO.2373/2022 IN FA ST.NO.12161/2022

HDFC ERGO General Insurance Co.Ltd., thr.its Divisional Manager, Mumbai

..VS..

Sau.Anita Prakash Bansode and ors

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

Court's or Judge's Order

.....

Shri Amit Kukday, Counsel for the Applicant.

Shri Kulkarni, Counsel for Non-applicant No.1.

CORAM : URMILA JOSHI-PHALKE, J.

DATED : 15/02/2023

1. By this application, the applicant/Insurance Company is seeking condonation of delay of 8 days which is caused in preferring the appeal against judgment and award passed by the Motor Accident Claims Tribunal, Buldhana.

2. As per contentions of the applicant/Insurance Company, it has to obtain necessary permission from the higher officials wherein the time was consumed and, therefore, the delay is caused in preferring the appeal.

3. Learned counsel Shri Kulkarni for non-applicant No.1 raised objection that the delay is not sufficiently explained.

4. Though non-applicant Nos.2 and 3 are served, none appears for them.

5. In view of reasons mentioned in the application and considering that the applicant/Insurance Company has to obtain necessary approvals before filing of appeal, reasons mentioned in the application are justifiable one. Hence, the delay is condoned. Office to register the appeal.

6. The application is **disposed**.

FA ST.NO.12161/2022

1. Heard.

2. **Admit.**

3. Record and proceedings be called for.

4. After receipt of record and proceedings, place the matter for final hearing as per its turn

CAF No.2374/2022

1. Since it is submission of learned counsel for the appellant/Insurance Company that the amount is already deposited, there shall be **stay** to effect and operation of judgment and award dated 28.2.2022 passed by learned Member, Motor Accident Claims Tribunal, Buldhana in Claim Petition No.223/2012, till disposal of the appeal.

2. The application is **disposed** of.

(URMILA JOSHI-PHALKE, J.)

!! BrWankhede !!

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