

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

CIVIL APPLICATION (F) NO.2519 OF 2022

IN

FIRST APPEAL (ST) NO.12619 OF 2022

[New India Assurance Co. Ltd. ..V/s.. Varsha wd/o Vikas Goley and Ors.]

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

Court's or Judge's order

Mr B. P. Bhatt, Advocate for Applicant/Appellant.

Ms S. H. Bhagat, Adv. h/f Mr P. R. Agrawal, Advocate for Respondent Nos.1 to 4.

CORAM : URMILA JOSHI-PHALKE, J.

DATE : 14th MARCH, 2023.

1. This is an application for stay to the effect, operation and execution of the judgment and award dated 01.01.2022 passed by the Chairman, Motor Accident Claims Tribunal, Washim, in M.A.C.P. No.40 of 2018.

2. Mr Bhatt, learned Advocate for applicant/appellant submitted that the entire amount of compensation has already been deposited.

3. In view of the statement made by Mr Bhatt, learned Advocate, the effect, operation and execution of the impugned judgment and award dated 01.01.2022 passed by the M.A.C.T., Washim in M.A.C.P. No.40 of 2018 is stayed, till the final disposal of the appeal.

4. Civil application is disposed of.

CIVIL APPLICATION (F) NO.2518 OF 2022.

5. This is an application for condonation of delay of 50 days, which is caused in preferring the appeal.

6. As per the contention of the applicant/appellant, the Competent Authority of Divisional Office is at Akola and they have to seek the legal opinion from their Advocate as well as from their Regional Officer, wherein time was consumed, and therefore, the delay of 50 days is caused. Delay is not intentional one.

7. Learned Advocate appearing for respondent Nos.1 to 4 has no objection for condonation of delay. None present for the respondent Nos.5 and 6.

8. In view of the reasons mentioned in the application, the application is allowed. The delay of 50 days is condoned. Appeal be registered and numbered accordingly.

9. The civil application is disposed of.

FIRST APPEAL (ST) NO.12619 OF 2022.

10. **Admit.**

11. Call for record and proceedings.

12. Appellant to file the private paper-book within eight weeks after receipt of record and proceedings.

13. Place the matter before the Court after paper-book is filed, its verification on final hearing board, as per its own turn.

JUDGE