

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CIVIL APPLICATION (CAF) NO.2521/2022
IN FIRST APPEAL ST. 12622/2022

New India Assurance Co. Ltd., Divisional Manager, Akola Thr. Regional
Manager, Nagpur

Vs

Kavita Wd/O Gopal Goley And Others

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Mr B.P. Bhatt, Advocate for the appellant/applicant.

Ms Gayatri Diwe, Adv. h/f Mr P.R. Agrawal, advocate for the respondent
Nos. 1 to 4.

CORAM : URMILA JOSHI-PHALKE, J.

DATED : 01/03/2023.

1. Heard.
2. By preferring this application, the applicant is seeking stay to the effect, implementation, and execution of the impugned judgment and award passed by the Chairman Motor Accident Claims Tribunal, Washim in M.A.C.P. No. 41/2018, dated 04/1/2022.
3. Mr B.P.Bhatt, learned advocate for the applicant submitted that the applicant has already deposited along with accrued interest.
4. As the amount is already deposited the effect, operation, and execution of the award dated 04/01/2022 passed by the Chairman, Motor Accident Claims Tribunal,

Washim in M.A.C.P. No. 41/2018 be stayed till disposal of the appeal.

Civil Application No. 2521/2022 is disposed of

Civil Application (CAF) No. 2520/2022

1. By this application, the appellant/Insurance company is seeking condonation of delay of 53 days which is caused in preferring the appeal.
2. As per the contention of the appellant, the tribunal passed the award on 04/01/2022. Thereafter, the appellant applied for the certified copy which are delivered on 21/01/2022. The appellant is the Competent Authority of the Divisional Office has to sought legal opinion from its advocate at Akola and thereafter, the Division Office has to obtain the necessary approval from the regional office, wherein the time was consumed and hence delay is caused. The delay is not an intentional one. There is sufficient and reasonable caused for the condonation of delay.
3. The said application is opposed on behalf of the claimants/respondent Nos. 1 to 4. On the ground that delay is not properly explained.
4. Heard both the sides. Perused the application.
5. The appellant is the competent authority, who has to obtain necessary approvals from the Regional Office, and therefore time is consumed. The reason assigned appears to

be justifiable one. In view of that delay of 53 days is condoned.

FIRST APPEAL ST. NO. 12622/2022

1. Appeal be registered.
- 2 Call for record and proceedings.
3. Private paper-book is filed within a period of eight weeks after receipt of the record and proceedings.
4. Place the matter before the Court after private paper-book is filed and its verification.

JUDGE