

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

CAF NO.3184/2019 AND FA ST.NO.14648/2019

National Insurance Company Ltd., Nagpur

..VS..

Smt.Sushama wd/o Devendra Ramteke and ors

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

Court's or Judge's Order

.....
Shri C.A.Anthony, Counsel for the Applicant/Appellant.
Shri A.K.Tripathi, Counsel for Respondent Nos.1 & 3.

CORAM : URMILA JOSHI-PHALKE, J.

DATED : 09/02/2023

1. By this application, the Insurance Company seeks condonation of delay caused in filing the first appeal. Delay is of 44 days.

2. As per contentions of the Insurance Company, the Tribunal awarded compensation which is an excessive and exorbitant and the Insurance Company is saddled with liability to pay compensation for which the Insurance Company is not liable to pay. The delay is caused as the Insurance Company had to obtain necessary approvals from its higher officials wherein the time was consumed.

3. The name of respondent No.2 is deleted.

4. For reasons stated in the application, the application is **allowed**. The delay stands condoned. Office to register the first appeal. Record and proceedings be called for.

5. The appellant to file paper book within a period of eight weeks from today. After filing of the paper book, place the appeal for final hearing after eight weeks.

6. The application is disposed of.

CAf No.3185/2019

1. Since it is submission of learned counsel for the

Insurance Company that the amount of compensation has already been deposited, there shall be **stay** to effect and operation of judgment and award dated 24.1.2019 passed by learned Member of the Motor Accident Claims Tribunal, Nagpur in C.P.No.765/2011.

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

(URMILA JOSHI-PHALKE, J.)

!! BrWankhede !!

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