

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

CIVIL APPLICATION NO.3880 OF 2019

IN

FIRST APPEAL (ST.) NO.19653 OF 2019

(MSRTC Vs. Smt. Nilima wd/o Chandrakant Ingale and ors.)

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

Court's or Judge's Order

Shri V.H. Kedar, Advocate for the appellant.
Ms G.J. Lande, Advocate for respondent No.4.
Ms A. Kale, Advocate h/f Shri R.N. Deshpande, Advocate for respondent
Nos.5 and 6.

CORAM:- URMILA JOSHI-PHALKE, J.

DATED :- MARCH 16, 2023.

Heard.

2. By this application, the appellant is seeking stay to the effect, operation and implementation of the judgment and Award passed in Claim Petition No.162/2012 by the Motor Accident Claims Tribunal, Nagpur.

3. Shri Kedar, learned Counsel for the appellant submitted that entire amount of compensation is already deposited.

4. In view of the statement made by learned Counsel for the appellant, the effect, implementation and operation of the judgment and award in Claim Petition No.162/2012 be stayed till final disposal of the appeal.

5. Civil application is disposed of.

CIVIL APPLICATION NO.3879 OF 2019

Heard.

2. This application is filed for condonation of delay of 95 days which is caused in preferring the appeal.

3. Notice of the said application already served upon the respondents.

4. Ms Lande, learned Counsel for respondent No.4 and Ms Kale, learned Counsel for respondent Nos.5 and 6 have no objection for condonation of delay.

5. Perused the application. The grounds raised by the appellant is that after passing of the Award certified copy of the award was obtained, thereafter proposal was sent to the higher officials for obtaining the approval wherein the time was consumed, and therefore, the delay is caused.

6. Delay is not intentional one.

7. In view of the reasons mentioned in the application, it is apparent that the reasonable and justifiable reasons are mentioned in the application, hence delay is condoned.

FIRST APPEAL (ST.) NO.19653 OF 2019

Heard.

2. Appeal be registered.

3. **ADMIT.**

4. Call for R. & P.

5. Appellant to file private paper book within eight weeks after receipt of R. & P.
6. Place the matter for final hearing after filing of paper book and its verification, as per its turn.

(URMILA JOSHI-PHALKE, J.)

**Divya*