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IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 15342 OF 2017
IN
FIRST APPEAL NO.5121 OF 2017

Dhondiba Dattarao Dudhate

APPELLANT

VERSUS

Madhukar Mukindrao Dugane and Others

RESPONDENTS

.....
Mr. Madhukar M. Parghane, Advocate for the Appellant
.....

[CORAM : NITIN B. SURYAWANSHI, J.]

DATE : 13th DECEMBER, 2024

ORDER :

1. This Civil Application is filed by the Applicant – owner of the vehicle, who is directed by the Tribunal to pay compensation of Rs. 5 lakh, seeking stay to the impugned Judgment and Award.
2. The Applicant / Appellant is present in the Court. He has already filed letter dated 5th December, 2024, stating that he does not intend to continue Advocate Pramod Khiste representing him and he wants to engage another advocate. Applicant has confirmed the contents of the said letter.
3. In this view of the matter, appearance of Advocate Pramod Khiste is discharged.

4. Mr. Parghane, learned Advocate for the Applicant / Appellant has prayed for stay to the impugned Judgment and Award stating that warrant is issued against the Applicant / Appellant for recovery of the compensation amount. He, therefore, prays for stay to the warrant and the Award.

5. This request is liable to be rejected, as the accident has taken place on 5th December, 2008 and the Award is passed on 20th February, 2017. Till date, as per the contention of the Applicant / Appellant, he has deposited only an amount of Rs.1 lakh. The Claimants are deprived of the compensation amount for more than 7 years. Hence, the request for cancellation of the warrant and stay to the Award is rejected. Application is rejected.

6. List the First Appeal on 17th January, 2025.

[NITIN B. SURYAWANSHI]
JUDGE