

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO.12777 OF 2024
IN
FIRST APPEAL NO.668 OF 2024

Renuka Ganesh Patil and Ors. ...Applicants

In the matter between:-

HDFC ERGO General Insurance
Company Limited ...Appellant

vs.

Renuka Ganesh Patil and Ors. ...Respondents

WITH
INTERIM APPLICATION NO.8145 OF 2024
IN
FIRST APPEAL NO.668 OF 2024

HDFC ERGO General Insurance
Company Limited ...Applicant/Appellant

vs.

Renuka Ganesh Patil and Ors. ...Respondents

Mr.Suyash Sule:-	Advocate for Applicants/Original Petitioners.
Mr.Devendranath Joshi:-	Advocate for Appellant Insurance Company/Original Respondent No.1.

CORAM : S. M. MODAK, J.

DATE : 20th SEPTEMBER 2024

P.C. :-

1. Heard learned Advocate for the Appellant Insurance Company and learned Advocate for the Claimants.
2. Notice was issued to Respondent Nos.6 and 7. Report is yet awaited. Let, the Appellant to serve them privately and file Affidavit.
3. Stay was granted subject to deposit of the awarded amount. It is deposited. There is an order of pay and recover.
4. The accident occurred on 14th March 2020 at 5.00 p.m., whereas, the premium is paid on the same date at 10.00 p.m. The Claims Tribunal – Sangli observed, there was no policy but further observed, there is a breach of policy. (Para No.20).
5. It is clarified that the stay is granted only for the Appellant and the Claimants are at liberty to proceed in Execution against Respondent Nos.6 and 7.
6. Compilation be filed.
7. Stand over to **18th October 2024.**

[S. M. MODAK, J.]