

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CIVIL APPELLATE JURISDICTION****INTERIM APPLICATION NO. 11030 OF 2024 (delay)****IN****FIRST APPEAL STAMP NO. 20763 OF 2024****WITH****INTERIM APPLICATION NO. 11031 OF 2024 (stay)****IN****FIRST APPEAL STAMP NO. 20763 OF 2024**

The New India Assurance Co. Ltd.

... Applicant/
Appellant

Versus

Anjali Ramsingh Khatri & Anr.

... Respondents

.....

Smt. S.S.Dwivedi, Advocate for the Applicant.

CORAM : ARUN R. PEDNEKER, J.**DATED : 29th JULY, 2024.****P.C. :****INTERIM APPLICATION NO. 11031 OF 2024**

1. Learned counsel for the appellant submits that appeal challenges the order only to the extent of amount of Rs.18,30,286/-, the amount being already reimbursed to the claimant on account of mediclaim policy. She submits that the Insurance Company has deposited the balance amount before the Tribunal.
2. None for the respondents.
3. The impugned order is stayed only to the extent of Rs.18,30,286/-,

subject to appellant depositing the amount of Rs.18,30,286/- before the M.A.C.T. along with accrued interest thereon till date before the M.A.C.T. within a period of eight weeks.

4. The Interim Application is disposed of.
5. It is clarified that there is no stay granted to the balance amount as decreed by the Tribunal, and the claimants are entitled to withdraw the balance amount in terms of the order of the Tribunal.
6. Issue notice to the respondents returnable on **9th September, 2024.**

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7. For the reasons stated in the application, the delay of 203 days in filing the appeal is condoned. Interim Application No. 11030 of 2024 is disposed of.

(ARUN R. PEDNEKER, J.)