



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

979 CIVIL APPLICATION NO. 10137 OF 2025
IN FAST/27711/2025

The New India Assurance Co Ltd Through Its Branch Manager
VERSUS
Zohra Bee Shaikh Gaffar And Others

WITH
CIVIL APPLICATION NO. 10138 OF 2025
IN FAST/27711/2025

Mr.S.S.Rathi, Advocate for applicant
Mr.Sk. Kayyum Najir, Advocate for respondent nos.1 and 2

CORAM : AJIT B. KADETHANKAR, J.
DATE : SEPTEMBER 18 2025

ORDER :-

Being aggrieved by the judgment and award dated 06.05.2025, passed by learned Labour Court – 1, Aurangabad, in Application WCA C No.7/2022, the applicant/appellant has preferred present First Appeal. This is an application for condonation of delay of 34 days. The applicant seeks condonation of delay on the explanation expressed in the application.

2. Issue notice to the respondents, returnable after six weeks. Mr.Sk. Kayyum Najir, learned counsel, waives notice for respondent nos.1 and 2.

3. The matter be listed after service of notice is complete. In the meantime, applicant/appellant shall take recourse to Chapter II of the Bombay High Court Appellate Side Rules, 1960, corresponding to the position of the matter.

4. Office objections be removed within two weeks, failing which the matter shall stand dismissed automatically without reference to the court.

C.A. for Stay :-

5. Being aggrieved by the judgment and award dated 06.05.2025, passed by learned Labour Court - 1, Aurangabad, in Application WCA No.7/2022, the applicant/appellant has preferred present First Appeal. This is an application for grant of stay.

6. The applicant has deposited the entire payable award amount in the trial court, as a condition precedent to file an appeal under the Maharashtra Workmen's Compensation Act. Learned counsel for the applicant submits that the appeal consists vital grounds of involvement of vehicle in the accident.

7. Learned Labour Court - 1/Commissioner for E.C. Act shall not disburse the amount deposited by the appellant - insurance

company, pursuant to the judgment and award dated 06.05.2025, impugned in this appeal. The Civil Application stands disposed of.

[AJIT B. KADETHANKAR, J.]

KBP