



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

962 CIVIL APPLICATION NO. 10177 OF 2025
IN FAST/26424/2025
WITH
CIVIL APPLICATION NO. 10178 OF 2025
IN FAST/26424/2025

CHOLA MS GENERAL INSURANCE COMPANY LTD
VERSUS
CHAYA RAMESH ZINZADE AND OTHERS

...
Mr. Abhijit Choudhari, Advocate for Applicant
...

CORAM : AJIT B. KADETHANKAR, J.
DATE : 19th SEPTEMBER 2025

PER COURT :-

CIVIL APPLICATION NO. 10177 OF 2025

1. This Civil Application is filed for condonation of delay of 09 days in filing the First Appeal.
2. Issue notice to the respondents, returnable on 14.11.2025.
3. The matter be listed after service of notice is complete. In the meantime, applicant shall take recourse to the provisions enumerated in Chapter II of the Bombay High Court Appellate Side Rules, corresponding to the stage and requirement of matter.

CIVIL APPLICATION NO. 10178 OF 2025

1. The applicant/insurer submits that there are strong hopes of

success in the First Appeal. He further contends that the learned Tribunal has incorrectly fixed the quantum which is on higher side. He also submits that the findings rendered by the learned Tribunal are also incorrect. That, during the pendency of the First Appeal, if execution and operation of the impugned judgment and award is not stayed, the very purpose of First Appeal shall stand frustrated.

2. In view of the above, execution and operation of the judgment and award dated 09.05.2025, passed by the learned Member Motor Accident Claim Tribunal/District Judge-2, Parbhani in M.A.C.P No.101/2021 is stayed for a further period of six weeks subject to deposit of entire award amount together with interest accrued thereon in this Court within six weeks from today. If amount is not deposited within given time, stay order shall stands automatically vacated.

4. Issue notice to the respondents, returnable on 14.11.2025.

5. The matter be listed after service of notice is complete. In the meantime, applicant shall take recourse to the provisions enumerated in Chapter II of the Bombay High Court Appellate Side Rules, corresponding to the stage and requirement of matter.

[AJIT B. KADETHANKAR, J.]