



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

61 CIVIL APPLICATION NO. 10280 OF 2025 (Delay)
IN FAST/27488/2025

The Manager, Bajaj Allianz General Insurance Co Ltd.
VERSUS
Babasaheb Karbhari Sarbande And Another

WITH
CIVIL APPLICATION NO. 10281 OF 2025 (Stay)
IN FAST/27488/2025

Mr.M.R.Deshmukh, Advocate for applicant

CORAM : AJIT B. KADETHANKAR, J.
DATE : SEPTEMBER 22, 2025

ORDER :-

Being aggrieved by the judgment and award dated 31.08.2024, passed by learned Member, Motor Accident Claims Tribunal, Ahmednagar, in MACP No.404/2013, the applicant/appellant has preferred present First Appeal. This is an application for condonation of delay of 95 days. The applicant seeks condonation of delay on the explanation expressed in the application.

2. Issue notice to the respondents, returnable after eight weeks.

3. The matter be listed after service of notice is complete. In the meantime, applicant/appellants 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 31.08.2024, passed by learned Member, Motor Accident Claims Tribunal, Ahmednagar, in MACP No.404/2013, the applicant/appellant has preferred present First Appeal. This is an application for grant of stay.

6. The applicant submits that there are strong hopes of success in the appeal. That, during pendency of the First Appeal, if execution and operation of the impugned judgment and award is not stayed, the very purpose of the appeal shall stand frustrated.

7. Considering this, execution and operation of the impugned judgment and award is stayed till returnable date, on

condition that the appellants deposit the entire payable decretal award amount in this court within a period of eight weeks from today.

8. Issue notice to the respondents, returnable after eight weeks.

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

[AJIT B. KADETHANKAR, J.]

KBP