



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, AT NAGPUR.**

CIVIL APPLICATION (CAF) NO. 1034 OF 2024

AND

CIVIL APPLICATION (CAF) NO. 1033 OF 2024

IN

FIRST APPEAL STAMP NO. 2154 OF 2024

(The New India Assurance Co Ltd Vs. Rajendra wd/o Sayyad Amin and ors)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. Amey Chaurasiya, Advocate h/f Mr. R.R. Dawda, Advocate for
appellant/applicant.

CORAM : ABHAY J. MANTRI, J.

DATED : 04-07-2025

CIVIL APPLICATION (CAF) NO. 1034 OF 2024

Heard.

2. Learned counsel for the appellant submitted that he has already deposited the entire compensation amount awarded by the Commissioner under the Employees Compensation Act/Labour Court, Nagpur by a cheque dated 25.1.2024 and therefore, urged for grant of stay to the impugned judgment and award.

3. Having considered the fact that the appellant has deposited the entire awarded compensation amount with the Labour Court, I deem it appropriate to grant stay in terms of prayer clause (a). Accordingly, the application is allowed in terms of prayer clause (a) of the application. The application is disposed of.

CIVIL APPLICATION (CAF) No. 1033 OF 2024

Heard.

2. The learned counsel for applicant/appellant has submitted that the appellant/insurance company has deposited the amount of compensation awarded by the Commissioner under the Employees Compensation Act/Labour Court, Nagpur by a cheque dated 25.1.2024. It further appears that despite service of notice on

respondent Nos. 1 to 5, none appears on their behalf which fact leads to draw adverse inference that the respondents have no grudge about the application for condonation of delay.

3. Considering the reasons stated in the application as well as above facts, the application is allowed as prayed. The delay of 81 days caused in filing the appeal is condoned. Appeal be registered accordingly.

FIRST APPEAL STAMP NO. 2154/2024

Heard.

2. Issue notice to the respondents, returnable after six weeks.
3. Call record and proceedings.
4. List the matter after receipt of record and proceedings.

(ABHAY J. MANTRI, J.)

Belkhede