



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

Civil Application [CAF] No.4084 of 2025

in

First Appeal St. No.25080 of 2025

HDFC Ergo General Insurance Co. Ltd.

vs.

Adil s/o Idu Kureshi and another

*Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.*

Court's or Judge's Orders

Ms. Tanya Gupa, Advocate the Applicant/Appellant.

Mr. K.P. Mirache, Advocate for Non-Applicant/Respondent No.1.

CORAM : Y.G. KHOBRAGADE, J.

DATE : 29th APRIL, 2026.

Heard the learned Counsel appearing for the applicant/ Insurance Company and the learned Counsel appearing for non-applicant No.1. Despite service, none appeared for non-applicant No.2/owner.

02. By the present application, the applicant seeks condonation of delay caused while lodging the appeal against the judgment and award dated 09/05/2025 passed in MACP No.359/2020 by the learned Member, M.A.C.T.-4, Nagpur.

03. After going through the application, it appears that the Insurance Company has properly explained the delay in paragraph 3 of the application, which appears to be *bona fide* and substantial. Hence, the delay of 60 days caused while lodging the appeal is hereby condoned.

04. Office to register the first appeal. The application is allowed and disposed of accordingly.

First Appeal St. No.25080/2025:

Heard.

02. **Admit.**

03. Mr. K.P. Mirache, learned Counsel waives service of notice for respondent No.1.

04. Issue notice on merits to respondent No.2, returnable early.

05. The appellant shall file private paper-book within a period of 12 weeks from today.

Civil Application [CAF] No.4085/2025:

Heard the learned Counsel appearing for the applicant/ Insurance Company and the learned Counsel appearing for non-applicant No.1. None appeared for non-applicant No.2/owner.

02. By the present application, the applicant seeks to stay the effect, operation and execution of the impugned judgment and award dated 09/05/2025 passed in MACP No.359/2020 by the learned Member, M.A.C.T.-4, Nagpur.

03. Considering the nature of decree, the effect, operation and execution of the impugned judgment and award is hereby stayed subject to deposit of entire amount of compensation with accrued interest thereon within a period of eight weeks from today. It is made clear that, the applicant fails to deposit the entire amount of compensation within the stipulated period, in that event, the interim order shall stand vacated automatically without further reference to the Court.

JUDGE

**sandesh*