

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION

**CIVIL APPLICATION NO. 1212 OF 2017**  
**IN**  
**CIVIL APPLICATION No. 3582 OF 2016**  
**IN**  
**FIRST APPEAL No. 1297 OF 2016**

ICICI Lombard General Insurance Co. Ltd. ..Applicant.

Versus

Minor Maitri Dharmeshbhai Patel  
and Others.

..Respondents.

Ms. Deepika Motagi and Priti Pandey i/b Res Juris for the  
Applicant.

Coram : RANJIT MORE, J.

Date : **April 28, 2017.**

P. C. :

1. Heard the learned Counsel appearing for the Applicant. Application is filed for extension of time to deposit decretal amount as per the order dated 24<sup>th</sup> January 2017 passed by this Court in Civil Application No. 3582 of 2016.

2. Civil application No.3582 of 2016 was filed for stay to the impugned judgment and decree in the aforesaid first appeal. By the order dated 24<sup>th</sup> January 2017, this Court granted stay to the execution of the impugned award subject to Appellant depositing the entire awarded amount together with interest and costs before the concerned MACT on or before 20<sup>th</sup> February 2017. The learned Counsel appearing for the Applicant submitted that cheque for an amount of Rs. 39,24,879/- was ready on 27<sup>th</sup> February 2017. Though there is

delay of seven days, the same is explained by making averments in paragraph 3, namely, due to formality / procedure, some delay has occurred. The explanation I find to be satisfactory. The Applicant has annexed to the application, copy of the cheque.

3. In above circumstances, I find that the Applicant has made out a case for extension of time to deposit the amount as per the order dated 24<sup>th</sup> January 2017 passed in Civil Application No. 3582 of 2016. In that view of the matter, the Applicant is granted extension of time of three weeks from today to deposit the amount. Accordingly, civil application is made absolute in terms of prayer clause (a).

4. Civil Application stands disposed of.

**[RANJIT MORE, J.]**