

**IN THE HIGH COURT OF SIKKIM
CIVIL APPELLATE JURISDICTION**

M.A.C. App. No. 23 OF 2015

The Branch Manager,
National Insurance Company Ltd.,
Gangtok Branch,
East Sikkim – 737 101. ----- Appellant.

-VERSUS-

1. Shri Pankaj Kumar Balabhai Kapadia,
S/o Late Balabhai Vadilal Kapadia,
2. Smt. Daxa Pankaj Kumar Kapadia,
W/o Shri Pankaj Kumar Balabhai Kapadia,
3. Shri Raj Ritesh Kapadia,
S/o Shri Raj Ritesh Balabhai Kapadia,
Petitioners are permanent resident of:
A – 7, Prerna Vihar Tower, Near Rose Wood Estate,
Opposite Gokul Awas, Jodhpur Village Road,
Jodhpur, Satellite, Ahamadabad,
State of Gujarat – 380 015.
4. Shri Krishna Prasad Giri,
S/o Late Bhim Lal Giri,
Presently residing at:
Tintek Busty, Near Block Development Office,
P. O. Rakdong & P. S. Gangtok, East Sikkim – 737 107.
(Owner of Mahindra & Mahindra
Max – Passenger Carriage Vehicle bearing
Registration No. SK – 01/J/0897) ----- Respondents.

PETITIONER
ADVOCATE (S)
FOR ----- Ms. Vidya Lama.

RESPONDENT
ADVOCATE (S)
FOR -----

Case No.....

Serial No.	Date	Order (s) with Signature (s)
1	2	3
02.	15.03.16	Present: Mrs. Vidya Lama, Advocate for the Appellant. Mr. Ajay Rathi, Advocate for Respondents 1, 2 and 3. Mr. Ashok Pradhan, Advocate for Respondent No. 4. ... <u>IA No. 01/2015</u> Heard. This is an Application for condonation of delay in filing the Appeal. The Appeal is barred by 45 days of limitation. On due consideration of the submissions made by the learned counsel for the parties and the grounds taken in the Application, I am satisfied that the Appellant has shown sufficient cause for not filing the Appeal in time and the delay in filing the Appeal deserves to be condoned. Accordingly, IA No. 01/2015 is allowed and delay in filing the Appeal is condoned. <u>IA No. 01/2016</u> Heard. This is an Application for grant of interim stay. Mr. Rathi, learned counsel for Respondents 1, 2 and 3, prays for some time to argue on this Application.

Case No. MAC App. No. 23/15

Serial No.	Date	Order (s) with Signature (s)
1	2	3
		Ms. Vidya Lama, learned counsel appearing on behalf of the Appellant submits that the execution has been filed and the Tribunal has granted time till 24.03.2016 for bringing stay order from this Court. List this matter on 04.04.2016. In the meanwhile, no coercive steps shall be taken against the Appellant in the matter of execution of the award. Certified copy as per Rules. <i>sdk</i> Chief Justice 15.03.2016

pm/ jk

Index : Yes / No
Internet : Yes / No

**IN THE HIGH COURT OF SIKKIM
CIVIL APPELLATE JURISDICTION**

M.A.C. App. No. 24 OF 2015

The Branch Manager,
National Insurance Company Ltd.,
Gangtok Branch,
East Sikkim – 737 101. ----- Appellant.

-VERSUS-

1. Shri Pankaj Kumar Balabhai Kapadia,
S/o Late Balabhai Vadilal Kapadia,
2. Smt. Daxa Pankaj Kumar Kapadia,
W/o Shri Pankaj Kumar Balabhai Kapadia,
3. Shri Raj Ritesh Kapadia,
S/o Shri Raj Ritesh Balabhai Kapadia,
Petitioners are permanent resident of:
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State of Gujarat – 380 015.
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(Owner of Mahindra & Mahindra
Max – Passenger Carriage Vehicle bearing
Registration No. SK – 01/J/0897) ----- Respondents.

PETITIONER
ADVOCATE (S)
FOR ----- Ms. Vidya Lama.

RESPONDENT
ADVOCATE (S)
FOR -----

Case No.....

Serial No.	Date	Order (s) with Signature (s)
1	2	3
02.	15.03.16	Present: Mrs. Vidya Lama, Advocate for the Appellant. Mr. Ajay Rathi, Advocate for Respondents 1, 2 and 3. Mr. Ashok Pradhan, Advocate for Respondent No. 4. ... <u>IA No. 01/2015</u> Heard. This is an Application for condonation of delay in filing the Appeal. The Appeal is barred by 23 days of limitation. On due consideration of the submissions made by the learned counsel for the parties and the grounds taken in the Application, I am satisfied that the Appellant has shown sufficient cause for not filing the Appeal in time and the delay in filing the Appeal deserves to be condoned. Accordingly, IA No. 01/2015 is allowed and delay in filing the Appeal is condoned. <u>IA No. 01/2016</u> Heard. This is an Application for grant of interim stay. Mr. Rathi, learned counsel for Respondents 1, 2 and 3, prays for some time to argue on this Application.

Case No. MAC App. No. 24/15

Serial No.	Date	Order (s) with Signature (s)
1	2	3
		Ms. Vidya Lama, learned counsel appearing on behalf of the Appellant submits that the execution has been filed and the Tribunal has granted time till 24.03.2016 for bringing stay order from this Court. List this matter on 04.04.2016. In the meanwhile, no coercive steps shall be taken against the Appellant in the matter of execution of the award. Certified copy as per Rules. <i>sd/-</i> Chief Justice 15.03.2016

pm/ jk

Index : Yes / No
Internet : Yes / No

**IN THE HIGH COURT OF SIKKIM
CIVIL APPELLATE JURISDICTION**

M.A.C. App. No. 25 OF 2015

The Branch Manager,
National Insurance Company Ltd.,
Gangtok Branch,
East Sikkim – 737 101. ----- Appellant.

-VERSUS-

1. Shri Pankaj Kumar Balabhai Kapadia,
S/o Late Balabhai Vadilal Kapadia,
2. Smt. Daxa Pankaj Kumar Kapadia,
W/o Shri Pankaj Kumar Balabhai Kapadia,
3. Shri Raj Ritesh Kapadia,
S/o Shri Raj Ritesh Balabhai Kapadia,
Petitioners are permanent resident of:
A – 7, Prerna Vihar Tower, Near Rose Wood Estate,
Opposite Gokul Awas, Jodhpur Village Road,
Jodhpur, Satellite, Ahamadabad,
State of Gujarat – 380 015.
4. Shri Krishna Prasad Giri,
S/o Late Bhim Lall Giri,
Presently residing at:
Tintek Busty, Near Block Development Office,
P. O. Rakdong & P. S. Gangtok, East Sikkim – 737 107.
(Owner of Mahindra & Mahindra
Max – Passenger Carriage Vehicle bearing
Registration No. SK – 01/J/0897) ----- Respondents.

PETITIONER
ADVOCATE (S)
FOR ----- Ms. Vidya Lama.

RESPONDENT
ADVOCATE (S)
FOR -----

Case No.....

Serial No.	Date	Order (s) with Signature (s)
1	2	3
		MAC APP. No. 25/2015 BEFORE MR. JUSTICE S.K. SINHA, CJ. 02. 15.03.16 Present: Mrs. Vidya Lama, Advocate for the Appellant. Mr. Ajay Rathi, Advocate for Respondents 1, 2 and 3. Mr. Ashok Pradhan, Advocate for Respondent No. 4. ... <u>IA No. 01/2015</u> Heard. This is an Application for condonation of delay in filing the Appeal. The Appeal is barred by 23 days of limitation. On due consideration of the submissions made by the learned counsel for the parties and the grounds taken in the Application, I am satisfied that the Appellant has shown sufficient cause for not filing the Appeal in time and the delay in filing the Appeal deserves to be condoned. Accordingly, IA No. 01/2015 is allowed and delay in filing the Appeal is condoned. <u>IA No. 01/2016</u> Heard. This is an Application for grant of interim stay. Mr. Rathi, learned counsel for Respondents 1, 2 and 3, prays for some time to argue on this Application.

Case No. 11.13.15 APP. No. 2515

Serial No.	Date	Order (s) with Signature (s)
1	2	3
		Ms. Vidya Lama, learned counsel appearing on behalf of the Appellant submits that the execution has been filed and the Tribunal has granted time till 24.03.2016 for bringing stay order from this Court. List this matter on 04.04.2016. In the meanwhile, no coercive steps shall be taken against the Appellant in the matter of execution of the award. Certified copy as per Rules.  Chief Justice 15.03.2016

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