

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD
CIVIL APPLICATION NO.2919 OF 2015 IN
FIRST APPEAL ST.NO.5143 OF 2015

The New India Assurance Co.Ltd.

Applicant

Versus

Atul s/o Nensukh Nahar & another

Respondents

Mr.M.M.Ambhore, advocate for the applicant.

Mr. A.C.Darandale, advocate for Respondent No.1.

CORAM : R.M.BORDE &

P.R.BORA, JJ.

DATE : 07th August, 2015

PER COURT:

This is an application seeking condonation of delay of 13 days occurred in presenting instant First Appeal.

Heard. For the reasons stated in the application, application deserves to be allowed and same is accordingly allowed. Delay of 13 days occurred in presenting the appeal stands condoned.

Civil Application stands disposed of.

**P.R.BORA
JUDGE**

adb/ca291915

**R.M.BORDE
JUDGE**

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD
FIRST APPEAL ST.NO.5143 OF 2015

The New India Assurance Co. Ltd.

Appellant

Versus

Atul s/o Nensukh Nahar & another

Respondents

Mr.M.M.Ambhore, advocate for the appellant.

Mr. A.C.Darandale, advocate for Respondent No.1.

CORAM : R.M.BORDE &

P.R.BORA, JJ.

DATE : 07th August, 2015

PER COURT:

Heard.

Appeal is admitted.

Shri Darandale, advocate waives notice for Respondent
No.1.

P.R.BORA

JUDGE

adb/ca291915

R.M.BORDE

JUDGE

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD
CIVIL APPLICATION NO.9260 OF 2015 IN
FIRST APPEAL ST.NO.5143 OF 2015

Atul Nensukh Nahar

Applicant

Versus

The New India Assurance Company Ltd.
and another

Respondents

Mr.A.C.Darandale, advocate for the applicant.
Mr. M.M.Ambhore, advocate for Respondent No.1.

**CORAM : R.M.BORDE &
P.R.BORA, JJ.**

DATE : 07th August, 2015

PER COURT:

This is an application presented by the applicant-original claimant seeking withdrawal of amount.

The Insurance Company is stated to have deposited an amount of Rs.40,44,381/- (Rs.Forty lakhs forty four thousand three hundred eighty one) in this Court, as directed by this Court.

Considering facts and circumstances, we deem it appropriate to permit the applicant-claimant to withdraw a sum of Rs.25,00,000/- (Rs. Twenty five lakhs) on the condition of tendering an undertaking to this Court, that in the event of success of appeal, appellant shall re-deposit the amount in this Court within a period of twelve weeks from such decision. The balance amount shall be invested in fixed deposit in Nationalised bank initially for a period of three years and fixed deposit receipt shall be renewed thereafter for the period until disposal of appeal.

Civil Application stands disposed of.

**P.R.BORA
JUDGE**

**R.M.BORDE
JUDGE**

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD
CIVIL APPLICATION NO.2920 OF 2015 IN
FIRST APPEAL ST.NO.5143 OF 2015

The New India Assurance Co.Ltd.

Applicant

Versus

Atul s/o Nensukh Nahar & another

Respondents

Mr.M.M.Ambhore, advocate for the applicant.

Mr. A.C.Darandale, advocate for Respondent No.1.

CORAM : R.M.BORDE &

P.R.BORA, JJ.

DATE : 07th August, 2015

PER COURT:

Since direction issued in respect of deposit of amount has been complied with, ad interim stay granted earlier by this Court is made absolute.

Civil Application stands disposed of.

Liberty to the claimant to claim withdrawal of amount deposited by the Insurance Company.

**P.R.BORA
JUDGE**

adb/ca291915

**R.M.BORDE
JUDGE**