

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

CAF No.1077/2014 in FA St. No.7549/2014
National Insurance Co.Ltd. Vs. Smt. Ashvini wd/o Manoj Gadekar and Ors.

Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders.	<u>Court's or Judge's Orders.</u>
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CORAM : Z.A. HAQ, J
DATE : 20th January, 2015.

Heard Ms. S.G. Kasbekar, the learned Advocate for the applicant and Shri S.K. Bhandarkar, the learned Advocate for the non-applicant nos. 1 and 2.

For the reasons stated in the application and considering the facts of the case, the delay in filing the appeal is condoned. Civil Application is allowed.

F.ASt. No.7549/2014

Taken up for admission with the consent of the learned Advocates for the respective parties.

Admit.

Shri S.K. Bhandarkar, the learned Advocate waives notice on behalf of the respondent nos. 1 and 2.

The appellant shall file private paper book within six months, failing which the appeal shall stand dismissed.

CAF No.100/2015

This is an application filed by the respondent nos. 1 and 2-claimants praying that they may be permitted to withdraw the amount deposited by the appellant.

Considering the challenges raised by the appellant-Insurance Company and the status of the respondent nos.1 and 2-claimants, the respondent nos.1 and 2-claimants shall be given 50% of the amount

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deposited by the appellant. The balance 50% amount shall be continued in the fixed deposit.

Civil application is disposed of in the aforesaid terms.

JUDGE

Ambulkar