

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

CIVIL APPLICATION (CAF) NO.1713 OF 2014

IN

FIRST APPEAL ST. NO.10146 OF 2014

The Oriental Insurance Co. Ltd., Amravati Division, the the Regional Manager

..vs..

Smt. Shalini Tayde and ors

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

Court's or Judge's Order

**Shri D.N. Kukday, counsel for the applicant/Appellant.
Shri P.R. Agrawal, counsel for NA Nos.1 to 4/Resps.**

CORAM : A. S. CHANDURKAR, J.

DATED : APRIL 16, 2015

Heard.

On the motion made by learned counsel for the applicant / appellant, name of respondent No.5 is permitted to be deleted from the array of parties in the application for condonation of delay as well as in the first appeal.

Amendment be carried out forthwith.

For the reasons mentioned in the application, delay of 60 days stands condoned.

The civil application is allowed and disposed of accordingly.

FIRST APPEAL ST. NO.10146 OF 2014

Heard.

ADMIT.

The record and proceedings be called for.

Shri P.R. Agrawal, learned counsel, waives notice for respondent Nos.1 to 4.

CIVIL APPLICATION (CAF) NO.1714 OF 2014

Heard.

As the applicant / appellant has deposited entire amount of compensation in this Court, *ad interim* stay granted on 8.7.2014 shall operate as *interim stay* during the pendency of the appeal.

The civil application is allowed and disposed of accordingly.

CIVIL APPLICATION (CAO) NO.1517 OF 2014

Heard.

The prayer is to permit claimants / respondent Nos.1 to 4 to withdraw the amount of compensation. It is stated that claimants / respondent Nos.3 and 4 are pursuing their education. It is also stated that respondent No.2 is of marriageable age.

The application is opposed by the learned counsel for the appellant on the ground that the compensation granted is on higher side and is not supported by sufficient evidence.

Considering the reasons as assigned, claimants / respondent Nos.1 to 4 are permitted to withdraw 50% of the amount deposited by the appellant on their furnishing undertaking that in case the appeal is allowed,

the said amount shall be re-paid with interest at such a rate the Court may then direct.

The balance amount be duly invested in a Fixed Deposit in any Nationalized Bank.

The civil application is disposed of accordingly.

JUDGE

!! BRW !!