

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

CIVIL APPLICATION (CAF) NO.2645 OF 2011

IN

FIRST APPEAL NO.989 OF 2011

(Oriental Insurance Company Ltd. ..vs.. Anandrao @ Anandi Tulshiram Gopale (dead) through its LRs
Shri Hansraj s/o Anandrao Gopale and another)

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

Court's or Judge's orders

Shri A.M. Quazi, Advocate for the appellant.

CORAM : Z.A. HAQ, J.

DATED : 11-02-2015

The claim petition was filed by the father of the deceased. During the pendency of the appeal, the original claimant died and the respondent Nos.1 and 2 are brought on the record being the legal representatives. The present application is filed by the respondent Nos.1 and 2 (brother and sister of the deceased) praying for withdrawal of the amount. Apart from the fact that the civil application is filed on or about 07-09-2011 and there has been no diligence on the part of the respondent Nos.1 and 2 in prosecuting the matter, I do not see any reason given by the respondent Nos.1 and 2 in the application on the basis of which the prayer as made can be granted.

The civil application is dismissed.

JUDGE