

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

CIVIL APPLICATION (CAO) NO.987 OF 2014

IN

CIVIL APPLICATION (CAF) NO.825 OF 2012

IN

FIRST APPEAL NO.408 OF 2012

Bajaj Allianz General Insurance Co. Ltd., Pune, thr the Senior Executive Legal

..vs..

Smt. Anusayabai wd/o Dnyaneshwar Kohachade and ors

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

Court's or Judge's Order

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Shri D.N. Kukday, counsel for the applicant / appellant.

CORAM : A. S. CHANDURKAR, J.

DATED : APRIL 16, 2015

Heard.

Prayer is to permit the applicant / appellant to receive back amount of Rs.25,000/- which was deposited by way of compliance with the provisions of Section 173 (1) first proviso of the Motor Vehicles Act, 1989. It is stated that the delay in filing the appeal was not condoned by this Court and hence, the said amount of statutory deposit be refunded to the applicant / appellant.

The learned counsel for the applicant / appellant has placed reliance on the decision in the case of **Prakash ..vs.. Pramod and ors** reported at **2004 ACJ 896**.

Considering the aforesaid decision and the fact that the delay in filing the appeal was not condoned, the

amount of Rs.25,000/- deposited by the applicant / appellant on 9.12.2011 is directed to be refunded to the applicant / appellant along with interest accrued thereon.

The civil application is allowed and disposed of accordingly.

JUDGE

!! BRW !!