

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

CIVIL APPLICATION (CAF) NO.742 OF 2015

IN

FIRST APPEAL STAMP NO.4217 OF 2015

(Bajaj Allianz General Insurance Co. Ltd., Nagpur ..vs.. .Smt. Kiran wd/o Manoj Mandhane and others)

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

Court's or Judge's orders

Shri D.N. Kukday, Advocate for the applicant/appellant,
Shri P.R. Agrawal, Advocate for the non-applicant/respondent Nos.1 to 3.

CORAM : Z.A. HAQ, J.

DATED : 26-08-2016

For the reasons stated in the application, the
delay of eight days in filing the appeal is condoned.

The civil application is allowed.

First Appeal Stamp No.4217 of 2015.

The appeal is taken up for admission.

Heard.

Admit.

Call record and proceedings.

Shri P.R. Agrawal, Advocate waives notices for
the respondent Nos.1 to 3.

The appellant shall file private paper-book within
six months.

**Civil Application No.743 of 2015 & Civil Application
No.2978 of 2016.**

As the amount is deposited by the applicant/

appellant, the execution of the impugned award shall stand stayed till the decision of the appeal.

After deducting the share of the respondent Nos.8 and 9 as per the order of the Tribunal, from the balance amount the respondent Nos.1, 2 and 3 will be entitled for $1/3^{\text{rd}}$ share each. The respondent Nos.2 and 3 being minors, they are not permitted to withdraw amount of their share at this stage. Out of $1/3^{\text{rd}}$ share of the respondent No.1, she be given Rs.25,00,000/- unconditionally.

The balance amount be kept in fixed deposit in a nationalised bank. The claimants are at liberty to make application for further withdrawal if necessary.

The civil applications are disposed in the above terms.

JUDGE

adgokar

CERTIFICATE

I certify that this Order uploaded is a true and correct copy of original signed Order.

Uploaded by : P.M. Adgokar.

Uploaded on : 29-08-2016.

P.A. to Hon'ble Judge.