

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

CIVIL APPLICATION NO. 461 OF 2017
IN FAST/690/2017
WITH
CIVIL APPLICATION NO.4310 OF 2017 IN FAST/690/2017

NATIONAL INSURANCE COMPANY LTD THR ITS AUTHORIZED
OFFICIAL.
VERSUS
LILABAI AMBADAS SHINDE AND ORS

...
Advocate for Applicant : Shri Usmanpurkar Aniruddha S.
Advocate for Respondents : Shri Deshmukh Mohit R..
...

CORAM: V.K. JADHAV, J.
DATE :- 07th April, 2017.

Per Court:

1 Insofar as Civil Application No.4310/2017 is concerned, leave to amend. Considering the challenge made to the judgment and award passed by the Tribunal and the fact that the only earning son of the Applicants/ original Claimants met with an accidental death, the Applicants are hereby permitted to withdraw the amount of Rs.10 lac out of the amount deposited in this Court, on furnishing an undertaking to the satisfaction of the Registrar (Judicial). The Civil Application is, accordingly, disposed of.

2 Insofar as Civil Application No.461/2017 is concerned, heard the learned counsel for the Applicant and the learned counsel for the Respondents/ Claimants. None appears for the Respondent Nos.4 and 5,

though duly served.

3 For the reasons stated in the Civil Application, delay of 16 days caused in filing the First Appeal is hereby condoned. The Civil Application is allowed and accordingly, disposed of.

4 Heard in the Appeal. Issue notice in the Appeal to the Respondents, returnable on 28.06.2017. The learned counsel appearing for the Respondent Nos.1 to 3 waives notice.

5 Call for the record and proceedings.

(V.K. JADHAV, J.)