

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

CIVIL APPLICATION NO. 3631 OF 2017
IN FAST/25487/2016

WITH

CIVIL APPLICATION NO.12557/2016
IN FAST/25487/2016

PRAMOD PUNDLIK CHAVAN AND ANR
VERSUS

THE NEW INDIA ASSURANCE CO. LTD. THR ITS DIV. MANAGER,
AURANGABAD AND ANR

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Advocate for Applicants : Shri Pawar D.B.

Advocate for Respondents : Shri M. M. Ambhore For R/1.

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CORAM: V.K. JADHAV, J.

DATE :- 07th April, 2017.

Per Court:

- 1 Heard both the sides.
- 2 In Civil Application No.3631/2017, considering the challenge made to the judgment and award of the Tribunal and the fact that the elder unmarried son of the claimants met with an accidental death, the Applicants/ Claimants are permitted to withdraw the amount of Rs.2 lac out of the amount deposited before this Court, on furnishing an undertaking to the satisfaction of the Registrar (Judicial) of this Court. The Civil Application No.3631/2017 is, accordingly, disposed of.
- 3 Insofar as Civil Application No.12557/2016 is concerned, for the reasons stated in the application, delay of 100 days caused in filing the

First Appeal is condoned. The Civil Application is allowed and accordingly, disposed of.

4 Issue notice to the Respondents in First Appeal, returnable on 27.06.2017. The learned counsel for the claimants waives notice.

5 Call for the record and proceedings.

(V.K. JADHAV, J.)