

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 15811 OF 2016
IN FAST/21756/2016 WITH CA/10551/2016 IN FAST/21756/2016 WITH
CA/10552/2016 IN FAST/21756/2016

REKHA ASHOK BELWATE AND ORS
VERSUS
NEW INDIA ASSURANCE CO. LTD. AND ORS

...
Advocate for Applicants : Mr. Mayure Pramod C
Advocate for Respondent No.1 : Mr. M.M. Ambhore
.....

CORAM : V. K. JADHAV, J.
DATED : 20th JANUARY, 2017

PER COURT:-

1. Heard both sides.
2. For the reasons stated in the application and considering the challenge made to the judgment and award passed by the Tribunal, the applicants are permitted to withdraw an amount of Rs.30,00,000/- (Rupees Thirty lacs only) out of the amount deposited in this court, on furnishing undertaking to the satisfaction of Registrar (Judicial) of this Court and the balance amount shall be invested in fixed deposit, any Nationalized bank, initially for a period of three years and the fixed deposit be renewed thereafter from time to time till further orders. Civil application for withdrawal of amount is disposed of.

3. So far as civil application for condonation of delay is concerned, heard learned counsel for the applicant and learned counsel for respondent Nos. 1 to 4 original claimants. None appears for respondent No.5 and 6, though duly served. For the reasons stated in the civil application, delay caused in filing the first appeal is condoned. Civil application for condonation of delay is disposed of.

4. In first appeal, heard. Notice to the respondents, returnable on 3.3.2017.

5. Mr. P.C. Mayure, learned counsel waives notice for respondent Nos. 1 to 4 original claimants. Call for record and proceedings.

(V. K. JADHAV, J.)

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