

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 723 OF 2017
IN FAST/28652/2016 WITH CA/12920/2016 IN FAST/28652/2016 WITH
CA/12921/2016 IN FAST/28652/2016

AJINKYA AJAY BHOSAREKAR
VERSUS
ORIENTAL INSURANCE CO. LTD. AND OTHERS

...
Advocate for Applicant : Mr. Kulkarni Sudhir V.
Advocate for Respondents : Mr. U.S. Malte

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CORAM : V. K. JADHAV, J.
DATED : 3rd FEBRUARY, 2017

PER COURT:-

1. Heard both sides.
2. The respondent insurer has preferred appeal to the extent of quantum awarded by the Tribunal. Thus, considering the challenge raised to the judgment and award passed by the Tribunal, the applicant-claimant is permitted to withdraw 50% of the amount alongwith accrued interest thereon, on furnishing undertaking to the satisfaction of Registrar (Judicial) of this Court. Civil application is disposed of.
3. In so far as civil application for condonation of delay is concerned, for the reasons stated in the said civil application, delay caused in filing the appeal is hereby condoned. Civil application is

disposed of.

4. In first appeal, notice to the respondents, returnable on 17.03.2017. Learned counsel waives notice for respondents-original claimants. Call for record and proceedings.

5. In so far as the civil application for stay is concerned, learned counsel for the applicant submits that entire amount is deposited before this Court. In view of this statement, there shall be stay to the impugned judgment and award till disposal of appeal. Civil application for stay is disposed of.

(V. K. JADHAV, J.)

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