

IN THE HIGH COURT OF JUDICATURE AT BOMBAY:
NAGPUR BENCH : NAGPUR
Civil Application [CAO] St. No. 6670 of 2017
AND
Misc. Civil Application St. No. 6669 of 2017
IN
First Appeal No.476 of 2014
[Reliance General Insurance Co. Ltd. Vs. Smt. Tarannum Ara Kazi
Faisiuddin Gulzar & others]

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

Court's or Judge's orders

Mr. D. N. Kukday, Adv., for the applicant-appellant.

- - - -
CORAM : A. S. CHANDURKAR, J.

DATE : 24th February, 2017

Notice on both the applications is made returnable forthwith.

Shri Awachat, learned counsel, waives notice on behalf of respondent nos. 1 and 2 and Shri S.R. Charpe, Adv., for respondent nos. 4 to 6. Service on respondent no.3 is dispensed with for the present.

Considering reasons mentioned in the applications, the delay in filing restoration application stands condoned. Similarly, the appeal is restored to file, subject to the paper-book being filed within a period of four weeks from today.

Civil Application and Misc. Civil Application are allowed and disposed of.

-0-0-0-0-

Civil Application No.1249 of 2017 :

Perused the contents of the application as well as orders dated 11th December, 2014 and 3rd February, 2015, by which the respondents have been permitted to withdraw part of the amount of compensation.

In view of aforesaid, the respondent no.1 is permitted to withdraw the amount in relation to her share on filing an undertaking that in case the appeal is allowed, said amount shall be repaid with interest at such rate the Court may direct. The amount to which the respondent no.2 is entitled shall remain invested in a fixed deposit. However, quarterly interest on said amount should be paid to the credit of respondent no.2 through the respondent no.1.

Civil Application is disposed of.

Judge