

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.44 OF 2018
IN
FIRST APPEAL ST. NO.23632 OF 2017

Reliance General Insurance Company Ltd.

-vs-

Rima Suresh Vichare and ors.

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

Court's or Judge's Orders.

Shri Nikhil Mehta, Advocate i/b KMC Legal Venture for
appellant.

Shri Vimal Sanghvi, Advocate i/b Ms Sushma P. Gor,
Advocate for respondent Nos.1 to 3.

CORAM : A.S.CHANDURKAR, J.

DATE : December 12, 2018

On the request made by the learned counsel for the appellant service on respondent No.4 is dispensed with. As the appellant seeks to challenge the judgment of the Claims Tribunal on the basis of quantum of compensation awarded, considering reasons mentioned, delay in filing the First Appeal stands condoned.

Civil Application is allowed and disposed of.

First Appeal St. No.23632 of 2017

Heard. Admit. Call for record and proceedings.

Ms Sushma Gor, learned counsel waives notice on
behalf of respondent Nos.1 to 3.

Civil Application No.45 of 2018

As the entire amount of compensation has been deposited with the Claims Tribunal, the execution of the impugned award shall remain stayed during pendency of the

appeal. Civil Application is allowed and disposed of.

Civil Application St. No.27788 of 2018

Perused the application and heard the learned counsel.

In the facts of the case the claimants are permitted to withdraw 50% of the amount of compensation as deposited on furnishing undertaking within eight weeks that in case the appeal is allowed, said amount shall be repaid with interest at such rate the Court may direct. The remaining amount shall be invested in Fixed Deposit.

Civil application is disposed of.

(A.S.CHANDURKAR, J.)