

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION**

**CIVIL APPLICATION NO. 212 OF 2017  
WITH  
CIVIL APPLICATION NO. 213 OF 2018  
WITH  
CIVIL APPLICATION NO. 2381 OF 2018  
IN  
FIRST APPEAL (ST.) NO. 26841 OF 2016**

Iffco Tokio General Insurance  
Company Limited

.. Appellant

Vs.

Mr.Jayesh Dattatray Thakur & Ors.

.. Respondents

Ms. Varsha Chavan, Advocate for appellant.

Mr.Sanjay A. Ghaisas, Advocate for respondent No.1.

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

**DATE : 14<sup>TH</sup> DECEMBER 2018**

**P.C.**

**CIVIL APPLICATION NO. 212 OF 2017  
(FOR CONDONATION OF DELAY)**

1 Heard the counsel and perused the application. Considering the reasons mentioned in the application which appear to be acceptable. The delay in filing the appeal stands condoned. The civil application is disposed.

**FIRST APPEAL (ST.) NO. 26841 OF 2016**

2 Heard. Admit. Call for record and proceedings.

The learned counsel waives notice for respondents.

**CIVIL APPLICATION NO. 2381 OF 2018  
(FOR WITHDRAWAL)**

3      Heard the learned counsel and perused the impugned judgment.

4      Considering the nature of evidence on record, the claimants are permitted to withdraw 50% of the amount of compensation as deposited. The claimants shall file an undertaking in this Court within a period of eight weeks stating therein that in case the appeal is allowed, the amount withdrawn shall be re-deposited with interest at such rate the Court may direct. The remaining amount shall remain invested in fixed deposit.

5      The civil application is disposed of.

**CIVIL APPLICATION NO. 213 OF 2018**

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

7      The civil application is disposed of.

**(A.S. CHANDURKAR, J.)**