

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO. 3275 OF 2017
ALONG WITH
CIVIL APPLICATION NO. 3276 OF 2017
IN
FIRST APPEAL (ST.) NO. 28835 OF 2017**

Reliance General Insurance
Company Limited

.. Applicant/Appellant

Vs.

Smt. Ketki W/o. Sanjay Nene
& Ors.

.. Respondents

**WITH
CIVIL APPLICATION NO. 4515 OF 2018
IN
FIRST APPEAL (ST.) NO. 28835 OF 2017**

Mr.Nikhil Mehta, Advocate i/b KMC Legal Venture for applicant/appellant.
Mr.Bhooshan Mandlik, Advocate i/b Mr.Shriniwas S. Patwardhan,
Advocate for respondent Nos.1 to 4.
Mr.Prajakt M. Arjunwadkar, Advocate for respondent No.5.
Mr.Devendranath S. Joshi, Advocate for respondent No.6.

**CORAM : A.S. CHANDURKAR, J.
DATE : 22ND DECEMBER 2018**

P.C.

CIVIL APPLICATION NO. 3275 OF 2017

1 Heard the learned counsel and perused the contents of the application.

2 Considering reasons mentioned in the application which appear to be acceptable, the delay in filing the First Appeal stands condoned. The civil application is allowed and disposed of.

FIRST APPEAL (ST.) NO. 28835 OF 2017

3 Heard. **Admit.** Call for record and proceedings.

The learned counsel waives notice for respondents.

4 The amount of statutory deposit be transferred to the Claims Tribunal.

CIVIL APPLICATION NO. 4515 OF 2018

5 The prayer is made to permit withdrawal of part of the amount of compensation as deposited. In the application, it is stated that applicant No.2 is to be married in January-2019.

6 Perused the impugned judgment. In the facts of the case and for the reasons mentioned in the application, the civil application is allowed in terms of prayer clause (a). The claimants shall file an undertaking within a period of eight weeks from today stating therein that in case the appeal is allowed, the amount withdrawn shall be re-deposited with interest at the rate the Court may direct. The balance amount shall remain invested in fixed deposit. The civil application is disposed of.

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7 As the entire amount of compensation has been deposited with the Claims Tribunal, the execution of the impugned award stayed during pendency of the appeal. The civil application is disposed of.

(A.S. CHANDURKAR, J.)