

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
NAGPUR BENCH : NAGPUR

CIVIL APPLICATION NO.17 OF 2018  
IN CIVIL APPLICATION NO. 1108 OF 2017  
IN FIRST APPEAL ST. NO.1059 OF 2017

(The National Insurance Co. Ltd. vs. Moreshwar Ramchandra Dhande and others)

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

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Mrs. Maldhure, Advocate for applicant.  
Shri V. Awachat, Advocate for respondent no.1.

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CORAM :    MANISH PITALE, J.

DATED :    FEBRUARY 13, 2018

Shri    Awachat,    learned    Counsel    for  
respondent no.1/claimant seeks leave to amend the  
prayer clause of the application.

Leave as prayed is granted. Amendment be  
carried out forthwith.

This is an application filed on behalf of  
respondent no.1/claimant seeking permission to  
withdraw the amount of compensation deposited in this  
Court by appellant Insurance Company. It is pointed out  
in the application that applicant is about 52 years old  
and that due to injuries suffered in the accident, he has  
suffered physical, mental and financial hardships.

Considering the fact that this is a case of  
injuries and disability for which Tribunal has granted  
compensation by the impugned judgment and order, I  
am inclined to allow this application.

Accordingly, this application is allowed and  
respondent no.1/claimant is permitted to withdraw the

amount of compensation deposited by appellant Insurance Company in this Court subject to filing usual undertaking.

CIVIL APPLICATION NO. 1108 OF 2017

The appellant Insurance Company has filed this application seeking condonation of delay of 121 days in filing appeal.

For the reasons stated in the application, same is allowed and delay is condoned.

FIRST APPEAL ST. NO.1059 OF 2017

Heard learned Counsel for the parties.

Admit.

Shri Awachat, learned Counsel waives notice on behalf of respondent no.1.

Call for R & P.

Learned Counsel for appellant shall file private paper book within a period of six months.

JUDGE

khj