

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

C.A.F. NO.2084/2016

IN

FIRST APPEAL STAMP NO.12412/2016

HDFC ERGO Gen. Ins. Co. Ltd., Aurangabad

..Vs..

Smt. Rekha Wd/o Kawaduji Masram and another

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

Court's or Judge's orders

Shri A.R. Rishi, Advocate for respondent No.1.

CORAM : Z.A. HAQ, J.

DATE : 12.3.2018.

None appeared for the applicant / appellant on 26th September, 2017, 3rd November, 2017, 20th November, 2017 and 18th December, 2017. Today also no one appears for the applicant / appellant. Pursis Stamp No.6638/2017, dated 16th June, 2017 is filed by the Advocate for the applicant / appellant stating that the case papers are returned to the appellant company alongwith a blank vakalatnama. It is stated in the pursis that vakalatnama of Shri K.D. Deshpande, who represents the appellant / insurance company, be treated as withdrawn.

Accepting the explanation given in the civil application, delay of eights days in filing the appeal is condoned. Civil application is **allowed** accordingly. No costs.

FIRST APPEAL STAMP NO.12412/2016

Appeal taken up for hearing on admission.

Admit.

Call record and proceedings.

Shri A.R. Rishi, Advocate waives notice for respondent No.1.

The appellant shall file private paper book within six months.

C.A.F. NO.2085/2016

In compliance with the order passed by this Court on 1st July, 2016 the appellant / insurance company has deposited an amount of Rs.3,92,518/-. In view of deposit of amount, it is directed that the interim order granted on 1st July, 2016 shall continue until further orders.

The amount be kept in fixed deposit in a nationalized bank until further orders. However, the respondent No.1 / claimant be given interest which will accrue on the amount deposited by the appellant / insurance company, every quarter starting from 1st July, 2018.

The civil application is **disposed** in the above terms.

C.A.O. NO.577/2017

For the reasons stated in the application, the appellant / insurance company is permitted to serve the respondent No.2 by publishing notice in “*Dainik Bhaskar*” having wide circulation at Durg, Chhatisgarh. The civil application is **allowed** accordingly. No costs.

JUDGE