

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

CIVIL APPLICATION (CAF) NO.983/2017

IN

F.A. ST.NO.3332/2017

ICICI Lombard General Insurance Company Ltd., thr. its Legal Manager

..VS..

Smt. Surekha wd/o Prakash Ghurde and ors

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

Court's or Judge's Order

Shri R.D.Bhuibhar, Counsel for the applicant.

Shri P.R. Agrawal, Counsel for non-applicant Nos.1, 2,3, & 5.

CORAM : MRS. SWAPNA JOSHI, J.

DATED : JULY 17, 2018.

1. This is an application for condonation of delay of 100 days caused in filing an appeal.
2. Heard learned counsel Shri R.D. Bhuibhar for the applicant and learned counsel Shri P.R. Agrawal for non-applicant Nos.1,2,3, and 5.
3. Having heard learned counsel for the parties and gone through the contents in the application, I am satisfied that delay of 100 days caused in filing the appeal needs to be condoned.
4. For the reasons stated therein, the application is allowed. Delay of 100 days caused in filing the appeal stands condoned. Office to register the first appeal. The civil application is disposed of as such.

Civil Application (CAO) No.1219/2018

1. This application is filed by applicant/respondent

.....2/-

Nos.1, 2, 3, and 5 for grant of permission to withdraw the amount.

2. Heard learned counsel for the parties.

3. Learned counsel Shri P.R. Agrawal submits that applicant/respondent No.4 Laxmanrao s/o Pandurangji Ghurde died on 26.5.2018.

4. In view of the statement made by learned counsel Shri P.R. Agrawal, name of applicant/respondent No.4 Laxmanrao s/o Pandurangji Ghurde is deleted from the array of the applicants/respondents.

5. Having considered grounds of appeal and the impugned judgment passed by the Tribunal, I am of the view that the amount deposited in this Court can be allowed to be withdraw by applicant Nos.1 and 5 conditionally.

6. For the reasons stated therein, the application is allowed.

7. Upon applicant Nos.1 and 5 furnishing surety and undertaking to the satisfaction of the Registrar (J) of this Court within a period of 2 weeks from today, they shall be permitted to withdraw 50% of the amount deposited before this Court. However, the same shall be subject to condition that in the event if any adverse order is passed against them, they shall refund the amount within a period of 8 weeks from the date of final order of this Court in the matter.

8. The application stands disposed of as such.

JUDGE

!! BRW !!

...../-