

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

**CIVIL APPLICATION (CAF) NO.3876 OF 2017**

**AND**

**FIRST APPEAL ST. NO. 19712 OF 2017**

(THE NEW INDIA ASSURANCE CO.LTD.....VS..RAMCHANDRA KUNDANLAL SONI & ORS.)

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

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Shri M.B.Joshi, Advocate for Applicant/Appellant.  
Shri R.M.Pande, Advocate for Respondent No.1.  
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**CORAM : Z.A.HAQ, J.**

**DATED : APRIL 11, 2018.**

**CIVIL APPLN.NO.3876/2017**

Accepting the explanation given in the  
application, delay of 10 days in filing the appeal is condoned.

The civil application is **allowed**. No costs.

**FIRST APPEAL ST.NO. 19712/2017.**

Taken up for hearing on admission.

Issue notice for final disposal, returnable on **18<sup>th</sup>**  
**July, 2018.**

Shri R.M.Pande, advocate waives notice for the  
respondent No.1.

Call R & P.

**CIVIL APPLN.NO.3877/2017.**

As the appellant has deposited the amount, the interim order granted on 26<sup>th</sup> September, 2017 to continue until further orders.

The civil application is **disposed** accordingly.

**CIVIL APPLN.NO. 321/2018.**

The application filed by the claimant praying for permission to withdraw the amounts, as filed, cannot be considered.

The civil application is **dismissed**. However, after hearing the learned advocates for the appellant/ Insurance Company and the respondent No.1/claimant and considering the facts of the case and points raised by the Insurance Company, the respondent No.1/claimant is permitted to withdraw Rs.Ten Lakhs from the amount deposited by the Insurance Company. The balance amount be kept in fixed deposit in a nationalized bank, until further orders.

**JUDGE**