

FARAD CONTINUATION SHEET No.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

C.A.F. NO. 3375/2017 IN FIRST APPEAL ST. NO. 15301/2017

(THE MANAGER, ORIENTAL INSURANCE CO.LTD, GONDIA VERSUS BARSABAI RAVI BAWANE &
 OTHERS)

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

Court's or Judge's orders

Shri A.W. Paunikar, counsel for the applicant.
 Shri V.R. Thote, counsel for the respondents.

CORAM : A.S. CHANDURKAR, J.

DATE : JANUARY 03, 2019.

Though the prayer for condonation of delay is opposed by the learned counsel for the claimants, considering reasons mentioned, the delay in filing the appeal stands condoned.

Civil application is allowed and disposed of.

F.A. ST. NO. 15301/2017.

Heard. ADMIT. Call for Record & Proceedings.

Shri V.R. Thote, learned counsel, waives notice of hearing on behalf of the respondent nos.1 and 2.

C.A.F. NO. 3376/2017.

As the entire amount of compensation is deposited, the execution of impugned award shall remain stayed during pendency of appeal.

Civil application is disposed of.

C.A.O. NO. 2289/2018.

Prayer is to permit the claimants to withdraw the amount of compensation as awarded.

The prayer is opposed by learned counsel for the appellant on the ground that the evidence on record is insufficient.

Perused the impugned judgment. Prima-facie considering the facts of the case, the claimants are permitted to withdraw 50% of the amount of compensation as deposited. The claimants shall file undertaking within period of eight weeks from today stating therein that the amount withdrawn shall be re-deposited with interest at such rate the Court may direct, if the appeal is allowed. The remaining amount shall remain invested in fixed deposit.

Civil application stands disposed of.

JUDGE

APTE