

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

CIVIL APPLICATION (F) No.1727 OF 2019
IN
FIRST APPEAL St.No. 27808 OF 2018

Reliance General Insurance co.ltd.

VS.

Sulbha wd/o Manoharrao Agarkar and others

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

Court's or Judge's

Shri. H. N. Verma, counsel for applicant/appellant.
Shri. A. S. Ghatole, counsel for respondents No. 1 to 5.

CORAM : MANISH PITALE J

DATED : 16.10.2019

Notice was issued in the application for condonation of delay on 16.04.2019. The respondents No. 1 to 5 have been served and the office note shows that respondent No. 6 who was owner of the offending vehicle has died. Insofar as considering the prayer for condonation of delay is concerned, the presence of respondent No.6 or his legal representatives may not be necessary. The original claimants i.e. respondents No.1 to 5 are represented through counsel.

2. Although the prayer for condonation of delay is opposed, for the reasons stated in the application the same is allowed and delay is condoned.

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Issue notice for final disposal returnable in **six weeks.**

2. Call for R & P.

3. Mr. Ghatole, learned counsel waives notice on behalf of respondents No. 1 to 5.

4. As regards respondent No.6, the appellant is granted six weeks to take necessary steps.

CIVIL APPLICATION (F) No.1787 OF 2019

This is an application filed on behalf of respondents No. 1 to 5 seeking permission to withdraw the amount of compensation deposited by the appellant insurance company in this Court. The appellant insurance company has deposited 50% of the amount of payable to the respondents No.1 to 5 in terms of the impugned judgment and order passed by the Tribunal.

2. For the reasons stated in the application, the same is partly allowed and for the present, the respondents No.1 to 5 are permitted to withdraw 50% of the amount deposited by the appellant insurance company in this Court subject to filing usual undertaking before the learned Registrar (Judicial)

within a period of four weeks from today.

3. Application is disposed of.

JUDGE

KOLHE