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

Civil Application (F) No.2731/2017 in FA St.No.5863/2017
National Insurance Company Ltd. Vs. Rukhmina Shivaji Mule and others.

Office notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders.	Court's or Judge's Orders.

Shri S.D.Sirpurkar, Advocate for applicant/appellant.
Shri P.R.Agrawal, Advocate for respondent nos. 1 to 3.

CORAM : A.S.CHANDURKAR, J.
DATE : 7th January, 2019.

Considering the reasons mentioned in the application, the delay in filing the appeal stands condoned.

The civil application is allowed and disposed of.

First Appeal No.____/2019

Heard.

Admit.

Call for record and proceedings.

Shri P.R.Agrawal, learned counsel waives notice for respondent nos. 1 to 3.

C.A.F.No.2732/2017

As the entire amount of compensation has been deposited by the appellant, the execution of the impugned award shall remain stayed during the pendency of the appeal.

The civil application is disposed of.

C.A.O.No.2257/2018

Heard learned counsel for the parties and perused the impugned judgment.

It is not in dispute that except the present claim,

no other claim arising from the accident in question came to be filed.

In view of above, the claimants are permitted to withdraw 50% of the amount of compensation as deposited. The claimant no.1 is permitted to receive that amount. However, undertaking be filed by all the claimants stating therein in case the appeal is allowed, that amount shall be redeposited with interest at such rate, the Court may direct. Remaining amount shall be invested in fixed deposit.

The application is disposed of in the aforesaid terms.

JUDGE

Andurkar