

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

CIVIL APPLICATION (F) NO. 2425 OF 2019
IN FIRST APPEAL NO. 1201 OF 2019

(Reliance General Insurance Co. Ltd. Vs. Smt. Bebytai wd/o Haridas Kawalkar & Ors.)

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

Court's or Judge's orders.

Shri D.N. Kukday, Advocate for the appellant.
Ms. Niharika Chandak, Advocate h/f Shri Rohit Joshi,
Advocate for respondent Nos.1 to 3.

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CORAM : PUSHPA V. GANEDIWALA, J.
SEPTEMBER 01, 2021.

Heard.

2] This is an application for grant of stay.

3] The learned counsel for the appellant submitted that the entire decretal amount with interest has been deposited by the appellant with the Registry of this Court.

4] Given the aforesaid submission, there shall be a stay to the execution and operation of the impugned judgment and award dated 25/02/2019 passed by the Member, Motor Accident Claims Tribunal, Chandrapur in M.A.C.P No. 96/2013, pending decision of the Appeal.

5] Civil Application stands disposed of.

CIVIL APPLICATION (F) NO. 1717/2021.

6] This is an application filed on behalf of the applicants/ respondent Nos.1 to 3 seeking withdrawal of the decretal amount, i.e., Rs.95,49,393/-, which was deposited by the appellant with the Registry of this Court vide CCDR No. 768 dated 05/09/2014.

7] I have perused the impugned judgment and award and the reasons mentioned in the application.

8] Given the aforesaid submissions, respondent Nos.1 to 3 are permitted to withdraw 50% of the decretal amount (Rs.95,49,393/-) with interest accrued thereon on furnishing usual undertaking before the Registrar (Judicial).

9] Civil Application stands disposed of.

FIRST APPEAL NO. 1201/2019.

10] Shri Kukday, learned counsel for the appellant, to carry out amendment by deleting the name of respondent No.4 within a period of one week.

11] S.O. after two weeks.

JUDGE

Sumit