

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

**CIVIL APPLICATION NO. 671 OF 2020**

**IN**

**FIRST APPEAL (ST.) NO. 2813 OF 2020**

(The New India Assurance Co. Ltd., Nagpur Vs. Vilas Gopalrao Malode & ors.)

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Office Notes, Office Memoranda of  
Coram, appearances, Court's Orders  
or directions and Registrar's order

Court's or Judge's Order

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Shri A.W. Paunikar, Advocate for the applicant.  
Shri S.B. Gandhe, Advocate for respondent No.1.  
Shri Sawan Alaspurkar, Advocate for respondent Nos.2 & 3.

**CORAM:- PUSHPA V. GANEDIWALA, J.**

**DATED :- AUGUST 11, 2021**

Heard.

Perused the application.

Considering the reasons as mentioned in  
paragraph Nos.2 & 3 of the application, the delay of 92  
days caused in filing appeal is condoned.

The appeal be registered

**First Appeal No.** \_\_\_\_\_

Issue notice to respondents, returnable after  
four weeks.

Shri Gandhe, learned counsel for respondent  
No.1 and Shri Alaspurkar, learned counsel for respondent  
Nos.2 & 3, waive notice.

Call for R. & P.

**Civil Application No. 672 of 2020**

Perused the application.

As the entire decretal amount of Rs.41,80,838/- has already been deposited by the appellant vide Pursis stamp No.3285/2020 dated 02/03/2020, with the Registry of this Court, the application for grant of stay is allowed.

The ad-interim stay which was granted by this Court vide order dated 12/02/2020 is hereby confirmed, pending decision of the appeal.

The application stands disposed of.

**Civil Application No. 1518 of 2021**

By way of this application, the respondent No.1 seeks permission to withdraw the amount of compensation of Rs.41,80,838/- which was deposited by the appellant vide Cheque No. 626624 dated 17/02/2020 with the Registry of this Court.

Respondent No.1 is permitted to withdraw 25% of the compensation amount with accrued interest thereon, on furnishing usual undertaking.

The application stands disposed of.

**JUDGE**