

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

FIRST APPEAL NO.22 OF 2008

The Branch Manager National Insurance Co. Ltd., Kamptee Branch through the Regional
Manager, Nagpur

Vs.

Ramakrushna s/o Madhukar Bobde and others

WITH

FIRST APPEAL NO.26 OF 2008

The Branch Manager National Insurance Co. Ltd., Kamptee Branch through the Regional
Manager, Nagpur

Vs.

Pradeep S/o Ramrao Thakare and others

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

Court's or Judge's orders

Ms. M. H. Pathade, Advocate for respondent no.1.

CORAM : AVINASH G. GHAROTE, J.

DATE : 17/09/2021

**Civil Application (CAF) No.994 of 2020
and Civil Application (CAF) No.1198 of 2020
IN
FIRST APPEAL NO.22 OF 2008**

The learned Counsel for the respondent No.1 does not press Civil Application (CAF) No.994 of 2020 and Civil Application (CAF) No.1198 of 2020, in view of the subsequent Civil Application (CAF) No.1432 of 2021.

2. The above two Civil Applications, therefore, are dismissed, as not pressed.

**Civil Application (CAF) No.1432 of 2021
IN
FIRST APPEAL NO.22 OF 2008**

3. This Application is filed by the respondent no.1, seeking to withdraw the amount of Rs.1,23,956/- (Rs. One Lakh Twenty Three Thousand Nine Hundred Fifty Six only) deposited by the appellant in this Court and the amount of Rs.1,80,455/- (Rs. One Lakh Eighty Thousand Four Hundred Fifty Five only) deposited before the M.A.C.T., Nagpur. Since the challenge to the Award passed by the Tribunal has been rejected by this Court by Judgment dated 22.8.2019, the entitlement of the respondent no.1 to the aforesaid amount cannot be disputed, in view of which, the Civil Application (CAF) No.1432 of 2021 is allowed.

4. The amounts as indicated above, be made over to the respondent no.1.

**Civil Application (CAF) No.993 of 2020
and Civil Application (CAF) No.1197 of 2020
IN
FIRST APPEAL NO.26 OF 2008**

5. Civil Application (CAF) No.993 of 2020 and Civil Application (CAF) No.1197 of 2020, are not pressed by the learned Counsel for the respondent no.1, in view of the subsequent Civil Application (CAF) No.1431 of 2021. As a result of which, the above two applications are dismissed, as not pressed.

**Civil Application (CAF) No.1431 of 2021
IN
FIRST APPEAL NO.26 OF 2008**

6. This Application is filed by the respondent no.1, seeks to withdraw the amount of Rs.1,23,956/- (Rs. One Lakh Twenty Three Thousand Nine Hundred Fifty Six only) deposited by the appellant in this Court and the amount of Rs.1,80,455/- (Rs. One Lakh Eighty Thousand Four Hundred Fifty Five only) deposited before the M.A.C.T., Nagpur. Since the challenge to the Award passed by the Tribunal has been rejected by this Court by Judgment dated 22.8.2019, the entitlement of the respondent No.1 to the aforesaid amount cannot be disputed, in view of which, the Civil Application (CAF) No.1431 of 2021 is allowed. The amounts as indicated above, be made over to the respondent No.1.

JUDGE

Sarkate