

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

Civil Application [CAF] No.367 of 2020
in
First Appeal No.41 of 2021

The Divisional Manager, National Insurance Co. Ltd.

vs.

Ataulla s/o Abdul Majid Ansari & others

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

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Court's or Judge's Orders

*Shri C.A. Anthony, Advocate for the Applicant/Appellant.
Shri P.S. Mirache, Advocate for Respondent Nos.1 to 5.*

CORAM : SMT. ANUJA PRABHUDESSAI, J.
DATE : 18th JANUARY, 2021.

The appellant has sought stay to the execution and implementation of the impugned judgment, dated 16/07/2019 passed by the Motor Accident Claims Tribunal, Nagpur in Claim Petition No.1478/2015.

Learned Counsel for the appellant has stated that the entire amount of compensation has been deposited before this Court.

In view of the said statement, execution and implementation of the impugned judgment and award is stayed till the disposal of the appeal. The application stands disposed of accordingly.

Civil Application [CAO] No.25/2021 :

Respondent Nos.1 to 5 – original claimants have filed the application for withdrawal of compensation. Respondent Nos.1 & 2 are the parents

of the deceased and respondent No.3 is the brother. They are permitted to withdraw 50% of the amount awarded to them as per Clause-3 of the operative part of the order.

Respondent Nos.4 & 5 are minors, hence, the compensation awarded in their favour is ordered to be invested in any Nationalized Bank in Fixed Deposits for a period of five years with further renewal, till they attain the age of majority. The application stands disposed of accordingly.

First Appeal No.41/2021 :

Call for record and proceedings.

The parties are put to notice that an endeavour will be made to dispose of the appeal finally at the stage of admission.

JUDGE

**sandesh*