

Shailaja

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO.998 OF 2015
IN
FIRST APPEAL [STAMP] NO.5619 OF 2015

Royal Sundaram Alliance Insurance	]	
Company Limited.	]	Applicant
Vs.		
Shyam Anil Mehta and others.	]	Respondents

Mr. Nikhil Mehta i/b KMC Legal Venture, for Applicant.

None for Respondents.

CORAM : PRITHVIRAJ K. CHAVAN, J.

DATE : 17th JUNE, 2022.

P.C.:

1. This is an application for condoning the delay of 15 days occurred in presenting an appeal against the judgment and award passed by the Motor Accident Claim Tribunal, Raigad-Alibaug on 16th October, 2014 in M.A.C.P No.80 of 2010.
2. None for the respondents.
3. For the reasons stated in the application delay stands condoned.

4. Mr. Mehta, learned Counsel appearing for the applicant-insurer makes a statement that entire amount awarded with interest has already been deposited in Raigad – Alibaug Motor Accident Claim Tribunal. Statement is accepted.
5. Liberty to the respondents-claimants to withdraw 50% of the amount with accrued interest subject to an undertaking that they shall refund the amount, in case, the appellant succeeds.
6. Mr. Mehta submits that if at all the respondents had already withdrawn the amount, this order would be subject to withdrawal, if any, made earlier.
7. Application stands disposed of.
8. First Appeal No.176 of 2015 be tagged with this appeal.
9. List both the appeals under the caption of “Admission” on 15th July, 2022.

[PRITHVIRAJ K. CHAVAN, J.]