

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

SHAMBHAVI
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Date: 2022.06.28
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**FIRST APPEAL (ST) NO.28465 OF 2018
WITH
INTERIM APPLICATION NO.1960 OF 2022
WITH
CIVIL APPLICATION NO.480 OF 2019**

The General Manager,
Bajaj General Insurance Co. Ltd.

...Appellant

Versus

Smt. Archana B. Zade and Ors.

...Respondents

.....

Ms. Yogita Deshmukh Chitnis for the Appellant.

Mr. Mahendra Agavekar with Shraddha Chavan i/by Mr. Sachin
Gorwadkar for Respondent Nos.1 to 4.

CORAM : SMT. ANUJA PRABHUDESSAI, J.

DATED: 24th JUNE, 2022.

P.C.:-

CIVIL APPLICATION NO.480 OF 2019

1. By this application, applicant has sought to condone the delay of 92 days in filing the appeal under Section 173 of the Motor Vehicles Act, 1988. In view of the reasons stated in the application, delay is condoned. Appeal be registered.

2. Application stands disposed of.

(SMT. ANUJA PRABHUDESSAI, J.)

INTERIM APPLICATION NO.1960 OF 2022

1 By this application, applicants-respondents have sought to withdraw the compensation deposited by the appellant-Insurance Company as per the impugned judgment and award of the Motor Accident Claims Tribunal in Claims Petition No.173 of 2010. Appellant-Insurance Company has deposited the amount of Rs.23,27,802/-. Having considered the reasons stated in the application and the grounds raised in the appeal memo, applicant no.1 is permitted to withdraw 15% of the amount deposited and the applicant no.4 is permitted to withdraw 5% of the amount deposited along accrued interest thereon. Balance amount including the amount payable to the applicant nos.2 and 3 be invested in any nationalised bank until further orders.

2 Application stands disposed of.

(SMT. ANUJA PRABHUDESSAI, J.)

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Stand over six weeks, i.e., 5th August, 2022.

(SMT. ANUJA PRABHUDESSAI, J.)