

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
BEFORE THE NATIONAL LOK ADALAT

**FIRST APPEAL NO. 1635 OF 2016
WITH
CROSS OBJECTION (STAMP) NO. 22674 OF 2019
IN
FIRST APPEAL NO. 1635 OF 2016**

New India Assurance Company Limited ... Appellant
Vs.
Balaso Jagannath Nalawade
Since deceased Through L.Rs.
1-a Sunita Balaso Nalawade and Ors. ... Respondents

**WITH
INTERIM APPLICATION NO. 1273 OF 2022
IN
FIRST APPEAL NO. 1635 OF 2016**

Balaso Jagannath Nalawade
Since deceased Through L.Rs.
1-a Sunita Balaso Nalawade and Ors. ... Applicant

IN THE MATTER BETWEEN

New India Assurance Company Limited ... Appellant
Vs.
Balaso Jagannath Nalawade
Since deceased Through L.Rs.
1-a Sunita Balaso Nalawade and Ors. ... Respondents

**WITH
INTERIM APPLICATION NO. 1274 OF 2022
IN
CROSS OBJECTION (STAMP) NO.22674 OF 2019**

Balaso Jagannath Nalawade
Since deceased Through L.Rs.
1-a Sunita Balaso Nalawade and Ors. ... Applicant

IN THE MATTER BETWEEN

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New India Assurance Company Limited ... Appellant
 Vs.
 Balaso Jagannath Nalawade
 Since deceased Through L.Rs.
 1-a Sunita Balaso Nalawade and Ors. ... Respondents

**WITH
 CIVIL APPLICATION NO. 04 OF 2022
 IN
 CROSS OBJECTION (STAMP) NO.22674 OF 2019**

Advocate S.S. Dwivedi, for the Appellant.
 Mr. Sourin Saha, Administrative Officer of Appellant present.
 Mr. B.A. Lawate, for the Respondent in FA 1635 of 2016 and for Applicant
 in IA No. 1273 of 2022 and CAO No. 4 of 2022.

**CORAM : N. J. JAMADAR, J.
 : V. R. KACHARE, Registrar (Jud-I) &
 D. M. MATA, Dy. Registrar**

DATE : MARCH 12, 2022

PC. :

INTERIM APPLICATION NO. 1274 OF 2022

1. This application is to bring the legal representatives of deceased-respondent no.1 Balaso Jagannath Nalawade on record.
2. For the reasons assigned in the application, application stands allowed.
3. Respondent Nos. 1-a to 1-c are permitted to be brought on record.
4. Legal Representatives of deceased-claimant Shri. Balaso Jagannath Nalawade be brought on record in Cross Objection (Stamp) No. 22674 of 2019 as well as First Appeal No. 1635 of 2016. Necessary amendment be

carried out forthwith.

5. Interim Applications stand disposed of accordingly.

FIRST APPEAL NO. 1635 OF 2016

1. Heard the learned counsel for the appellant.
2. The learned counsel for the appellant, on instruction, seeks leave to withdraw the appeal.
3. The appeal stands disposed of as withdrawn.
4. Court fee refund be made as per rules.
5. The statutory deposit, if any, be remitted to the jurisdictional Tribunal.
6. Record and proceeding be sent back.
7. In view of withdrawal of appeal, pending applications, if any, also stand disposed of.
8. Learned counsel submits that appellant No.1-a and 1-b have filed an Affidavit giving 'no objection' to release the entire amount of compensation in favour of their mother Sunita Balaso Nalawade.
9. Liberty to the appellant-claimant to make appropriate application before the Tribunal.

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CROSS OBJECTION (STAMP) NO. 22674 OF 2019

1. Heard the learned counsel for the appellant.
2. The learned counsel for the appellant, on instruction, seeks leave to withdraw the Cross Objection.
3. The Cross Objection stands disposed of as withdrawn.
4. Court fee refund be made as per rules.
5. The statutory deposit, if any, be remitted to the jurisdictional Tribunal.

(D.M. MATA)

(V.R. KACHARE)

(N.J. JAMADAR, J.)