

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

CIVIL APPLICATION [CAF] NO. 104/2022
IN FIRST APPEAL NO. 1159/2015.

Bajaj Allianz General Insurance Co. Ltd.

-Versus -

Sheela Waman Pande and others.

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Shri D.N. Kukday, Advocate for the Appellant.
Shri S.C. Bhalerao, Advocate for Respondent Nos.1 to
6.

CORAM : SMT. ANUJA PRABHUDESSAI, J.

DATE : JANUARY 13, 2022.

Heard.

2. By order dated 15.08.2021, this Court has allowed respondent nos. 1 to 6 i.e. original claimants to withdraw 50% of the compensation amount deposited by the appellant. Respondents have filed this application for allowing withdrawal of money through power of attorney i.e. respondent no.1, who is mother of respondent nos. 2 to 6. Power of attorney is placed on record and there is a specific clause allowing respondent no.1 to withdraw the money

on their behalf. Hence, Civil Application is allowed. Respondent no.1, who is original claimant no.1, is allowed to withdraw 50% of the amount along with accrued interest on her behalf as well as on behalf of respondent nos. 2 to 6.

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Civil Application [CAO] No.787/2021 and Misc. Civil Application St.9806/2021.

By these applications, the applicant has sought to condone the delay and restore the appeal, which was dismissed for non filing of the paper book. Learned counsel for the appellant – Insurance Company states that paper book will be filed within a period of three weeks from today.

2. In the light of said statement and reasons stated in the civil application, the delay is condoned and the appeal is restored to file. Civil Application as well as Misc. Civil Application are disposed of.

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First Appeal No.1159/2015.

First Appeal is restored to file in view of above orders.

2. Learned Counsel appearing for respondent nos. 1 to 6 waives notice. Issue notice of final hearing to respondent nos. 7 and 8.

(SMT. ANUJA PRABHUDESSAI, J.)