

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

26 CIVIL APPLICATION NO.11627 OF 2023
IN FAST/18643/2023 WITH CA/8004/2023 IN FAST/18643/2023 WITH
CA/8005/2023 IN FAST/18643/2023

LAXMIBAI BALAJI KAMBLE AND ORS
VERSUS
THE RELIANCE GENERAL INSURANCE CO LTD THROUGH ITS
ASSISTANT MANAGER RELIANCE INSURANCE CO. AND ORS

...
Advocate for Applicants : Mr. Ingale Vivekanand V.
Advocate for Respondent No.1 : Mr. A. S. Usmanpurkar
...

CORAM : ARUN R. PEDNEKER, J.

DATE : 09/10/2023

PER COURT :

1. The present appeal is filed by the Insurance Company against the order of the Tribunal on the ground of quantum of compensation granted by the Tribunal and also on the ground of contributory negligence of the applicant.
2. CA/8004/2023 in FAST/18643/2023 is filed for condonation of delay of 247 days caused in filing the appeal. For the reasons stated in the application and more particularly delay on account of administrative grounds, the delay is condoned. The application is allowed and disposed of.
3. CA/11628/2023 is filed for withdrawal of amount.
4. For the reasons stated in the application, the applicants are

permitted to withdraw the entire 50% of the compensation amount, deposited in this Court along with interest accrued thereon, on usual undertaking to the satisfaction of the Registrar Judicial of this Court. The application is disposed of.

5. CA/8005/2023 IN FAST/18643/2023 is filed for Stay. The Stay has been granted to the order of the Tribunal subject to deposit of entire amount of compensation with interest as determined by the Tribunal. The Insurance Company has deposited amounts of compensation as directed along with interest accrued thereon in this Court.

6. In view of the same, the Stay order passed by this Court dated 05/07/2023, in the application, is confirmed. Application is disposed of.

7. The appeal is **Admitted**.

8. After admission, the learned Advocate Mr. V. V. Ingale waives service of notice on behalf of respondents.

9. Call for record and proceedings.

(ARUN R. PEDNEKER, J.)

vj gawade/-.