



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

938 CIVIL APPLICATION NO.14543 OF 2023
IN FAST/14348/2023 WITH CA/5912/2023 IN FAST/14348/2023 WITH
CA/5913/2023 IN FAST/14348/2023

SMT LALITA BHAGWAT KOLI AND ORS
VERSUS
UNITED INDIA INSURANCE CO LTD REGIONAL MANAGER AND ANR

...
Advocate for Applicants : Mr. S. S. Sarda h/f Mr. Bora Satyajit S.
Advocate for Respondent No.1 : Mr. M. R. Deshmukh
...

CORAM : ARUN R. PEDNEKER, J.
DATE : 08/12/2023

PER COURT :

1. Heard the learned Advocate appearing on behalf of respective parties.
2. The present appeal is filed by the Insurance Company against the order of the Tribunal on the ground of contributory negligence of the deceased.
3. Civil Application No.5912 of 2023 is filed for condonation of delay of 20 days. For the reasons stated in the application, the application for delay condonation is allowed and disposed of accordingly.
4. In Civil Application No.14543/2023 filed for withdrawal of amount, without going into the merits of the matter, I deem it appropriate to allow the applicants to withdraw 50% of the deposited

compensation amount along with accrued interest thereon till date to the extent of their shares as directed by the Tribunal, subject to filing of undertaking to the satisfaction of the Registrar Judicial of this Court. Application for withdrawal of amount stands disposed of.

5. In Civil Application No.5913 of 2023 filed for Stay, the learned Advocate for the applicant submits that the amount has been deposited in this Court as per the directions of this Court. In view of the same, the Stay order passed by this Court dated 02/05/2023, in the application for stay, is confirmed. The application filed for Stay stands disposed of.

6. The appeal is **admitted**.

7. After admission of the appeal, the learned Advocate Mr.S. S. Sarda h/f Mr. Bora Satyajit S. waives service of notice on behalf of respondents No.1 to 7.

(ARUN R. PEDNEKER, J.)

vj gawade/-.