

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

908 CIVIL APPLICATION NO.13282 OF 2023
IN FAST/19039/2023
WITH CA/7810/2023 IN FAST/19039/2023
WITH CA/7811/2023 IN FAST/19039/2023

URMILA CHANDRAKANT SHINDE & OTHERS
VERSUS
THE MANAGER THE ORIENTAL INSURANCE CO.LTD. &
OTHERS

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Advocate for Applicants : Mr.M.D.Shinde
Advocate for Respondent no.1 : Mr.R.F.Totala

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CORAM : ARUN R. PEDNEKER, J.
DATE : 02.11.2023

P.C. :

A] ORDER IN CIVIL APPLICATION FOR
WITHDRAWAL

1] The present civil application is filed for
withdrawal of the amount deposited by the Insurance
Compnay in this Court.

2] The First Appeal is filed on the ground of
quantum and contributory negligence.

3] The learned counsel for the applicants submits
that the applicants may be permitted to withdraw the

amount deposited in this Court. The learned counsel further submits that the amount deposited in this Court may be transmitted to the learned Member, Motor Accident Claims Tribunal, Nilanga in MACP No.05/2020.

3] In view of the same, the amount deposited in this Court along with interest accrued thereon be transmitted to the learned Member, Motor Accident claims Tribunal, Nilanga in MACP No.05/2020. On transmission, the applicant – wife in whose favour award is passed, is permitted to withdraw 50% of amount of compensation along with interest accrued thereon till date on furnishing usual undertaking to the satisfaction of the Member, Motor Accident Claims Tribunal, Nilanga. Civil Application is disposed of accordingly. Remaining amount be kept in Fixed Deposit on yearly basis.

B] ORDER IN CIVIL APPLICATION FOR DELAY

1] The present Civil Application is filed to condone the delay of 44 days in filing the First Appeal.

2] For the reasons stated in the Civil Application, the same is allowed. Delay is condoned. Appeal be registered. Civil Application is disposed of accordingly.

C] ORDER IN CIVIL APPLICATION FOR STAY

The applicant – Insurance Company has deposited entire amount in this Court. The interim stay granted by this Court stands confirmed. Civil Application is disposed of accordingly.

D] ORDER IN FIRST APPEAL

1] First Appeal is admitted. On admission, Mr. Manoj D. Shinde, learned counsel waives notice for respondent nos. 1 to 3.

2] Call R. & P.

[ARUN R. PEDNEKER]
JUDGE

DDC