

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,  
NAGPUR BENCH, NAGPUR.**

**CIVIL APPLICATION NO.959 OF 2020**

**IN**

**FIRST APPEAL (ST.) NO.3621 OF 2020**

(New India Assurance Co. Ltd. Vs. Arun Uttamrao Ingle and ors.)

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

Court's or Judge's Order

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Shri B.P. Bhatt, Advocate for the appellant.  
Shri S.S. Alaspurkar, Advocate for respondent Nos.1 to 3.

**CORAM:- URMILA JOSHI-PHALKE, J.**  
**DATED :- MARCH 08, 2023.**

Heard.

2. By this application, the appellant is seeking stay to the effect, operation and implementation of the judgment.

3. Shri Bhatt, learned Counsel submitted that he had already deposited the entire amount of compensation.

4. In view of the amount is already deposited, the implementation, effect and execution of the award passed by the Motor Accident Claims Tribunal, Amravati be stayed till final disposal of the appeal.

**FIRST APPEAL (ST.) NO.3621 OF 2020**

Heard.

2. The appellant to file private paper book within eight weeks from the date of receipt of R. & P

3. Place the matter after filing of the paper book and its verification for final hearing as per its turn.

**CIVIL APPLICATION NO.693 OF 2023**

By this application, respondent Nos.1 to 3 are seeking permission for withdrawal of the amount.

2. Shri Bhatt, learned Counsel objected for permission on the ground that the defence raised by the Insurance Company is non-involvement of the vehicle.

3. Shri Alaspurkar, learned Counsel invited my attention towards paragraph No.4 of the judgment from which it reveals that the defence of non-involvement of vehicle is not raised by the Insurance Company before the trial Court as well as the evidence is adduced.

4. Civil application is to be disposed of along with the appeal.

**(URMILA JOSHI-PHALKE, J.)**

*\*Divya*