

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

CAF No.1285/2020 in FIRST APPEAL ST.NO.9400/2020

(National Insurance Co.Ltd. Vs. Smt. Sangita wd/o Dattatraya Galde and others)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. B.P. Bhat, Advocate for applicant.

Mr. Shailesh Sahu, Advocate h/f Mr. M.I.Dhatrak, Advocate for respondent
nos.1 to 3.

CORAM : SMT. M.S. JAWALKAR, J.

DATED : 01-08-2023

1. Present application is filed for condonation of delay of 13 days in filing First Appeal. There is no objection on behalf of the respondents to condone the delay of 13 days in filing First Appeal. Accordingly, for the reasons stated in the application, delay of 13 days in filing First Appeal is hereby condoned.

2. Registry is directed to register First Appeal.

3. Application stands disposed of.

CAF No.2167/2023

4. Present application is filed by respondent nos.1 to 3 for grant of permission to withdraw 50% of the total amount deposited by the appellant as per order dated 27.10.2020. It appears that the appellant has deposited an amount of Rs.16,45,452/- on 26.11.2020 along with Pursis.

5. The only dispute is apparently in respect of calculation of future prospects. There will not be any difficulty in granting permission to withdraw 50% of the

said amount. Accordingly, the application is allowed. Respondent nos.1 to 3 is allowed to withdraw 50% of the total amount deposited by the appellant, along with accrued interest, on furnishing usual undertaking within three weeks.

6. Registry is directed to disburse the amount on furnishing usual undertaking as referred above.

7. Application stands disposed of.

First Appeal St.No.9400/2020

8. Both parties agree for referring the matter for mediation and request that Ms. Suhasini Deshpande, Advocate be appointed as Mediator in the matter.

9. As such, Ms. Suhasini Deshpande, Advocate is requested to undertake the mediation and submit report.

10. Parties to appear before the learned Mediator on 23rd August, 2023 at 2.30 p.m.

11. Learned Coordinator, Maharashtra State Legal Services Authority (MALSA), to coordinate in the matter.

12. List the matter after receipt of the report of the Mediator.

JUDGE

ambulkar

Signed By: MUKUND
LAXMANRAO AMBULKAR
Private Secretary

Signing Date: 02.08.2023 17:20