



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

**83 CIVIL APPLICATION NO. 684 OF 2024
IN FAST/5763/2023 WITH C.A. NO. 5113 OF 2023 IN
FAST/5763/2023 WITH C.A. NO. 5114 OF 2023 IN
FAST/5763/2023**

Sharda Wd/o Vishnu Shinde

....Applicant

VERSUS

Reliance General Insurance Co Ltd Through Its Legal Officer And Ors
.....Respondent

.....
Advocate for Applicant : Mr. Bobade Yogesh K

Advocate for Respondent No.1 : Mr. S. S. Patil h/f Mr. R.H.
Dahat

.....

CORAM : S. G. MEHARE, J.

DATE : 19.01.2024

ORDER :

CIVIL APPLICATION NO. 684 OF 2024 (WITHDRAWAL)

1. Heard the learned counsel for the applicant and the learned counsel for the Respondent No.1/insurer.

2. Leave granted to the learned counsel for the applicant to delete the name of respondent No.2. The amendment to be carried out within two weeks from today.

3. The appeal is against the quantum. *Prima facie* it appears that the applicant mother is entitled to the amount of compensation. Hence, the following order :-

ORDER

- (i) The application is partly allowed.
- (ii) The applicant is entitled to withdraw 75% of the deposited amount along with accrued interest thereon with undertaking that she would deposit the amount if the award is reversed.
- (iii) Out of the amount received to the applicant as per the Court order Rs. 10,00,00/- (Rs. Ten lakh) be deposited in a fixed deposit as per impugned award.

CIVIL APPLICATION NO. 5113 OF 2023 (DELAY)

CIVIL APPLICATION NO. 5114 OF 2023 (STAY)

- 4. Heard the learned respective counsels.
- 5. For the reasons mentioned in the application, the delay is liable to be condoned.
- 6. Since the amount is deposited as directed by this Court, the execution, implementation and effect of the impugned award is stayed till conclusion of the appeal. Hence, the following order :-

ORDER

- (i) Both the applications are allowed.
- (ii) The delay caused in preferring the appeal stands condoned.

- (iii) Office to register the appeal.
- (iv) The execution of the impugned award is stayed till the conclusion of the appeal.
- (v) Call record and proceedings.
- (vi) Learned counsel for respondent No.1 Mr. R. H. Dahat, waives service of notice for respondent No.1.
- (vii) List the matter in due course.

(S. G. MEHARE)
JUDGE

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