



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

13 CIVIL APPLICATION NO. 13809 OF 2023
IN FAST/15387/2023 WITH
CIVIL APPLICATION NO. 7309 OF 2023
IN FAST/15387/2023 WITH CIVIL APPLICATION
NO. 7310 OF 2023 IN FAST/15387/2023

Shantabai Suryabhan Varshewar

VERSUS

United India Insurance Co Ltd Through Its Manager And Anr

...

Advocate for Applicant : Mr. Suryawanshi Govind G.

Advocate for Respondent No.4 : Mr. S. S. Patil h/f

Mr. R. H. Dahat

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CORAM : S. G. MEHARE, J.

DATE : 16.02.2024

PER COURT :

1. Heard the learned counsel for the applicant and the learned counsel for the respondents/appellants.

2. It is an injury case. A very small amount of compensation has been granted to the applicant. Hence, the following order :-

ORDER

(i) The application is allowed.

- (ii) The applicant is allowed to withdraw the amount deposited with this Court with accrued interest thereon on the undertaking that he would deposit the amount if the impugned judgment and award is reversed.

CIVIL APPLICATION NO. 7309 OF 2023
IN FAST/15387/2023 (DELAY)

3. Heard the learned counsel for the applicant and the learned counsel for the contesting non applicant.
4. For the reasons mentioned in the application for condonation of delay it deserves to be allowed.

ORDER

- (i) The application is allowed.
- (ii) The registry is directed to register the appeal.
4. The learned counsel Mr. G. G. Suryawanshi waives the service of notice for respondent No.1 and learned counsel Mr. S. B. Bhosale waives service for respondent No.2.

WITH CIVIL APPLICATION NO. 7310 OF 2023 IN
FAST/15387/2023 (STAY)

5. The learned counsel for the applicant submits that he has good case on merits the entire amount of compensation has been deposited and the injured claimants has been allowed to withdraw the amount. Therefore, nothing is to be executed.

There is a substance in the submission. Hence, the following order

ORDER

- (i) The application is allowed.
 - (ii) The execution and implementation of the impugned award is stayed till the conclusion of the appeal.
6. Call record and proceeding.

(S. G. MEHARE)
JUDGE

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