

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 4714 OF 2023 (delay)

IN

FIRST APPEAL STAMP NO. 4136 OF 2020

The Divisional Manager, The Reliance General
Insurance Co. Ltd.

... Applicant

Versus

Shamimbano Fakiyoddin Qasmi and Ors.

... Respondents

WITH

INTERIM APPLICATION NO. 10476 OF 2024 (withdrawal)

IN

FIRST APPEAL STAMP NO. 4136 OF 2020

Shamimbano Fakiyoddin Qasmi and Ors.

... Applicants

In the matter betweenThe Divisional Manager, The Reliance General
Insurance Co. Ltd.

... Applicant

Versus

Shamimbano Fakiyoddin Qasmi and Ors.

... Respondents

.....

Ms. Kalpana Trivedi, Advocate for the Applicant.

Mr. T. J. Mendon, Advocate for Respondent Nos. 1 to 6 in FA(St.) No.
4136/2020 and for Applicants in IA/10476/2024.Ms. Vaishnai Malusare i/b. M. P. Savla & Co., Advocate for Respondent
No.7.

CORAM : ARUN R. PEDNEKER, J.

DATED : 15th JULY, 2024.

PC. :

INTERIM APPLICATION NO. 4714 OF 2023

1. For the reasons stated in the application, the appeal is restored.

Delay of 247 days in filing the application for restoration is also condoned.

2. Interim Application is disposed of.

INTERIM APPLICATION NO. 10476 OF 2024

3. The claimants are permitted to withdraw 70% of the amount except claimant No.4 who is a minor, to the extent of their share as directed by the Tribunal along with accrued interest thereon till date subject to filing of usual undertaking to the satisfaction of the Presiding Officer of the Tribunal.

4. The amount of the claimant No.4 and balance amount to the other claimants be kept in fixed deposit.

5. Interim Application No. 10476 of 2024 is disposed of.

6. The stay to the impugned order granted earlier stands confirmed till the final disposal of the appeal.

7. The appeal is admitted.

8. On admission, Advocate Mr. Mendon waives service for respondent Nos. 1 to 6 and Advocate Ms. Malusare, waives service for respondent No.7.

9. Call R & P

(ARUN R. PEDNEKER, J.)