



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

CIVIL APPLICATION NO. 2343 OF 2022

IN

FIRST APPEAL (St.) NO. 11146 OF 2022

Reliance General Insurance Co., Nagpur

.VS.

Pramila Vijay Raut and others

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions Court's or Judge's orders.
and Registrar's Orders.

Mr Amit Kukday, Advocate for the appellant
None for the respondents

CORAM : G.A. SANAP, J.

DATE : JANUARY 02, 2024.

Heard.

2. This is an application for condonation of 44 days delay caused in filing this appeal. The reasons have been stated in the application. It is stated that the appellant is an insurance company. On account of the procedural formalities the delay has occurred. On going through the application I am satisfied that the delay has occurred due to internal official compliance on administrative side. In view of the reasons, I am of the view that case is made out for condonation of delay. Accordingly, the application is **allowed.**

3. The delay of 44 days caused in filing the appeal is condoned.
4. The application stands disposed of, accordingly.
5. The appeal be registered.

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6. Heard.
7. **ADMIT.**
8. Learned Advocate for the appellant on registration of the appeal shall provide the copy of the appeal memo to the learned Advocate for respondent Nos. 1 to 3.
9. Call for record and proceedings.
10. Paper book be filed within six weeks from the date of receipt of record and proceedings.

CIVIL APPLICATION (CAF) NO. 3471 OF 2023

11. Heard learned Advocate for the appellant. Learned Advocate for the respondent Nos. 1, 2 and 3 is absent.
12. This is an application for withdrawal of the decretal amount deposited in this Court in terms of order of this Court. Learned Advocate for the appellant submits that subject to appropriate security the respondents may be allowed to withdraw some amount.

13. In view of the reasons stated in the application, the application is allowed. The respondents are allowed to withdraw 90 % of the decretal amount deposited in this Court. Out of which 60% amount is allowed to be withdrawn on furnishing usual undertaking to the effect that they will return the entire amount in case the appeal is decided against them alongwith interest, as directed by this Court and 30% amount is allowed to be withdrawn on furnishing solvent surety.

14. The application stands **disposed of**, accordingly.

(G. A. SANAP, J.)

Namrata