



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

Civil Application [CAF] No.3728 of 2023

in

First Appeal St.No.24048 of 2023

The New India Assurance Co. Ltd.

vs.

Smt. Kavita wd/o Suresh Hajare and others

*Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.*

Court's or Judge's Orders

Mr. S.A. Marathe, Advocate for the Appellant.

Mr. V.D. Awchat, Advocate for Respondent Nos.1 to 5.

Mr. Y.R. Kinkhede, Advocate for Respondent Nos.6 and 7.

CORAM : M.W. CHANDWANI, J.

DATE : 27th JUNE, 2024.

Heard.

02] Though the application is objected by the respondents, for the reasons mentioned in the application, the delay of 49 days in filing the appeal is hereby condoned.

03] The appeal be registered. The application is allowed and disposed of accordingly.

First Appeal St.No.24048/2023 :

Heard.

02] **Admit.**

03] Learned Counsel Mr. V.D. Awchat waives service on behalf of respondent Nos.1 to 5 and learned Counsel Mr. Y.R. Kinkhede waives on behalf of respondent Nos.6 and 7.

04] Call for record and proceedings.

Civil Application [CAF] No.1579 of 2024:

Heard.

02] The entire decretal amount has been deposited by the appellant.

03] For the reasons mentioned in the application, respondent Nos.1 to 5 are permitted to withdraw 50% of the amount deposited by the appellant with accrued interest thereon on furnishing usual undertaking.

04] The amount be distributed amongst respondent Nos.1 to 5 as per the ratio mentioned in the decree.

05] The application is disposed of in the aforesaid terms.

JUDGE

**sandesh*