



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

CIVIL APPLICATION [CAF] NO.935 OF 2024

IN

FIRST APPEAL ST. NO. 22527 OF 2023

[The New India Assurance Company Limited .vs. Ganpat s/o Baliram Walke and others]

Office Notes, Office Memoranda of Coram,
 appearances, Court's orders of directions
 and Registrar's orders

Court's or Judge's orders

Mr. Lalit Limaye, Advocate for Appellant.

Ms. Archana Lanjewar, Advocate h/f Mr. N.R. Saboo, Advocate for Respondent
 Nos.1 to 3.

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CORAM : SANJAY A. DESHMUKH, J.

DATE : 28th NOVEMBER, 2024.

1. This is an application for condonation of delay of 63 days caused for filing the appeal.
2. Perused the application. Heard the learned advocate for both the sides.
3. For the reasons stated in the application, the application deserves to be allowed in the interest of justice as the delay is not deliberately caused.
4. The application is allowed and disposed of.

Civil Application (CAF) No.3383/2024

1. This is an application for grant of permission to withdraw the amount deposited by the appellant.
2. Perused the application.
3. Heard the learned advocate for both the sides.
4. Considering the facts and circumstances of the case, the application deserves to be partly allowed.
5. The claimants-respondent nos.1 to 3 are entitled to withdraw 75% amount on execution of usual undertaking.

6. Registry is directed to pay Rs.6,00,000/- to Ganpat s/o Baliram Walke and Sau. Surekha w/o Ganpat Walke each and remaining amount to Prafulla s/o Ganpat Walke out of that 75% amount, on usual undertaking.
7. The application is allowed and disposed of.

First Appeal St. No.22527/2023

1. Heard.
2. Issue notice to the respondents.
3. Ms. Archana Lanjewar, learned advocate waives notice for respondent nos.1 to 3.
4. Call for record and proceedings.
5. Stand over after twelve weeks.

(SANJAY A. DESHMUKH, J.)