



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

CIVIL APPLICATION (F) NO. 1120 OF 2024
IN FIRST APPEAL NO. 148 OF 2022

(United India Insurance Co. Ltd. Vs. Ajay Dutta Kumare & Ors.)

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

Court's or Judge's orders.

Ms Alpana Ingolikar h/f Ms Mrunal Naik, Counsel for the
appellant.

Shri Yash Sodhi, Counsel for the applicant/respondent
no.1.

Shri S.R. Kumbhalkar h/f Shri P.S. Tiwari, Counsel for
respondent nos. 3 and 4.

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CORAM : ANIL L. PANSARE, J.
APRIL 10, 2024.

By this application, the applicant/
respondent no.1 seeks permission to withdraw the
amount of compensation deposited by the appellant.

2] Perused the impugned judgment.
Considering the nature of evidence on record, the
applicant is permitted to withdraw 50% of the amount of
compensation on filing an undertaking that in case the
appeal is allowed, the said amount shall be repaid with
interest at such rate the Court may direct.

3] The Civil Application is disposed of.

CIVIL APPLICATION NO. 640/2021 IN FIRST APPEAL
NO. 149/2022

4] The applicant/Insurance Company has not
pressed for any orders for last three years. The

application is filed to stay the effect and operation of the impugned judgment and award.

5] Since the application has been not pressed for three years and since no stay was granted, no fruitful purpose will be served by keeping the application pending. The same is accordingly rejected.

(ANIL L. PANSARE, J.)

Sumit