



**IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD**

**917 CIVIL APPLICATION NO. 12664 OF 2025
IN FAST/1343/2024**

Mangalbai Rajmal Patil And Ors

VERSUS

Magma Hdi General Insurance Company Ltd And Others

...

Mr. Shrikant Subhash Patil, Advocate for Applicants

Mr. Rohit H. dahat, Advocate for Respondent No.1

WITH

**CIVIL APPLICATION NO. 2036 OF 2024
IN FAST/1343/2024**

Magma Hdi General Insurance Company Limited

VERSUS

Mangalbai Rajmal Patil And Ors

...

Mr. Dahat Rohit H., Advocate for Applicant

Mr. S. S. Patil, Advocate for Respondent Nos.1 to 6

WITH

**CIVIL APPLICATION NO. 2037 OF 2024
IN FAST/1343/2024**

Magma Hdi General Insurance Company Limited

VERSUS

Mangalbai Rajmal Patil And Ors

...

Mr. Dahat Rohit H., Advocate for Applicant

Mr. S. S. Patil, Advocate for Respondent Nos.1 to 6

....

CORAM : SANJAY A. DESHMUKH, J.

DATE : 20.11.2025

PER COURT :-

APPLICATION FOR STAY

1. This is an application seeking stay to the execution of the impugned judgment and award.
2. The learned advocate for the applicant / appellant submits that the entire amount as per the impugned judgment and award is deposited in this Court.
3. In view of the above, the application is allowed in terms of prayer clause 'B' and disposed of.

APPLICATION FOR WITHDRAWAL OF AMOUNT

1. This is an application seeking permission to withdraw the amount deposited in this Court pursuant to the award.
2. Heard the learned advocates for both sides.
3. Learned advocate for respondent strongly opposed the application.
4. Perused the application. For the reasons stated therein and considering the arguments of both the sides, it would be proper to partly allow the application. Hence, the following order:

::ORDER::

- a. The application is partly allowed.
- b. The applicants are permitted to withdraw 50% of the amount with accrued interest thereon deposited in this Court on furnishing usual undertaking to the satisfaction of the Registrar (Judicial) of this Court.

APPLICATION FOR DELAY

1. Heard the learned Advocates for the parties.
2. This is an application for condonation of delay of 48 days caused in filing the first appeal.
3. The learned Advocate for respondent strongly opposed the application and submitted that there is no sufficient reason to condone the delay.
4. Perused the application. For the reasons stated therein, the application deserves to be allowed in the interest of justice as the delay is neither deliberate nor intentional. Hence the following order:

::ORDER::

- a. Civil Application is allowed and disposed of.

b. The delay of 48 days caused in filing the first appeal is hereby condoned.

FIRST APPEAL

1. Issue notice to the respondents, returnable on 27.01.2026.
2. Mr. Shrikant S. Patil, learned Advocate waives service of notice for Respondent Nos.1 to 6.

[SANJAY A. DESHMUKH, J.]

HRJadhav