



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

31 WRIT PETITION NO. 41 OF 2019

Dhurpadabai Bhimrao Gavhane
VERSUS
The State Of Maharashtra And Others

...

Mr. Mayure Pramod C, Advocate for the Petitioner
Mr. S. D. Ghayal, Addl. GP for Respondents State
Mr. Tushar M. Tandale, Advocate for Respondent No.2
Mr. A. B. Kadethankar, Advocate for Respondent No.3

WITH
CIVIL APPLICATION NO. 2098 OF 2021
IN WP/41/2019

The National Insurance Company Ltd Through Authorized Signatory
VERSUS
Dhurpadabai Bhimrao Gavhane And Others

...

Mr. A. B. Kadethankar, Advocate for Applicant
Mr. S. D. Ghayal, Addl. GP for Respondents State
Mr. Mayure Pramod C, Advocate for the Respondents/claimants

WITH
WRIT PETITION NO. 720 OF 2020
Sahebrao Maroti Pawar And Others

VERSUS
The State Of Maharashtra And Others

...

Mr. Mayure Pramod C, Advocate for the Petitioner
Mr. S. D. Ghayal, Addl. GP for Respondents State
Mr. M.K. Goyanka, Advocate for Respondent No.3

WITH
WRIT PETITION NO. 1896 OF 2019

Lilabai Krushna Sonone And Others
VERSUS
The State Of Maharashtra And Another

...

Mr. Mayure Pramod C, Advocate for the Petitioner
Mr. S. D. Ghayal, Addl. GP for Respondents State
Mr. A. B. Kadethankar, Advocate for Respondent No.2
Mr. Tushar M. Tandale, Advocate for Respondent No.6

**WITH
WRIT PETITION NO. 1712 OF 2020**

Nilavati Shalikrao Bachate
VERSUS
The State Of Maharashtra And Others

...

Mr. Pavse Ashok S, Advocate for the Petitioner-Absent
Mr. S. D. Ghayal, Addl. GP for Respondents State
Mr. A. B. Kadethankar, Advocate for Respondent No.4

**WITH
WRIT PETITION NO. 1974 OF 2020**

Mangalabai Pandurang Suradkar And Others
VERSUS
The State Of Maharashtra And Others

...

Mr. Mayure Pramod C, Advocate for the Petitioner
Mr. S. D. Ghayal, Addl. GP for Respondents State
Mr. M.K. Goyanka, Advocate for Respondent No. 3

**WITH
CIVIL APPLICATION NO. 7910 OF 2020
IN WP/1974/2020**

Mangalabai Pandurang Suradkar And Others
VERSUS
The State Of Maharashtra And Others

...

Mr. Mayure Pramod C, Advocate for Applicants
Mr. S. D. Ghayal, Addl. GP for Respondents State

**WITH
WRIT PETITION NO. 3735 OF 2018**

Gangasagar Sukhdeo Veer And Others
VERSUS
The State Of Maharashtra And Others

...

Mayure Pramod C, Advocate for the Petitioners
Mr. S.D. Ghayal, Addl. GP for Respondents State
Mr. Sachin S. Randive, Advocate for Respondent No.2
Mr. Dhananjay P. Deshpande, Advocate for Respondent No.3

WITH
CIVIL APPLICATION NO. 7152 OF 2020
IN WP/3735/2018

The Oriental Insurance Co Ltd. Thr Its Manager
VERSUS
Gangasagar Sukhdeo Veer And Others

...

Mr. Dhananjay Deshpande, Advocate for Applicant
Mr. S. D. Ghayal, Addl. GP for Respondents State

WITH
WRIT PETITION NO. 8061 OF 2019

Sudamati Dnyanoba Alias Dnyaneshwar Khaval
VERSUS
The State Of Maharashtra And Others

...

Mr. Shinde Manoj D., Advocate for the Petitioner
Mr. S.D. Ghayal, Addl. GP for Respondents State
Mr. A. B. Kadethankar, Advocate for Respondent No.3

WITH
WRIT PETITION NO. 8081 OF 2019

Sumitra Bhimrao Ingle
VERSUS
The State Of Maharashtra And Others

...

Mr. Shinde Manoj D., Advocate for the Petitioner
Mr. S.D. Ghayal, Addl. GP for Respondents State
Mr. A. B. Kadethankar, Advocate for Respondent No.3

WITH
WRIT PETITION NO. 3031 OF 2021

Jyoti Gangadhar Tarode
VERSUS
The State Of Maharashtra And Others

...

Mr. Dhage Vaibhav B., Advocate for the Petitioner
Mr. S.D. Ghayal, Addl. GP for Respondents State
Mr. Deshpande Dhananjay, Advocate for Respondent Company

**WITH
WRIT PETITION NO. 7491 OF 2019**

Kalpana Sanjay Pathe
VERSUS
The State Of Maharashtra And Others

...

Mr. T. S. Kotkar h/for Mr. Kotkar Sanjay D., Advocate for the Petitioner
Mr. S. D. Ghayal, Addl. GP for Respondents State

**WITH
WRIT PETITION NO. 901 OF 2022**

Sumitra Pameshwar Kathale
VERSUS
The State Of Maharashtra And Others

...

Mr. Manoj Shinde, Advocate for the Petitioner
Mr. S. D. Ghayal, Addl. GP for Respondents State
Mr. A. B. Kadethankar, , Advocate for Respondent No.3

**WITH
WRIT PETITION NO. 822 OF 2022**

Kaushalya Bhimrao Salve
VERSUS
The State Of Maharashtra And Others

...

Mr. Manoj Shinde, Advocate for the Petitioner
Mr. S. D. Ghayal, Addl. GP for Respondents State
Mr. A. B. Kadethankar, , Advocate for Respondent No.3

**WITH
WRIT PETITION NO. 2856 OF 2021**

Dnyaneshwar Umrao Girhe
VERSUS
The State Of Maharashtra And Others

...

Mr. Vaibhav B Dhage, Advocate for the Petitioner
Mr. S. D. Ghayal, Addl. GP for Respondents State
Mr. Dhananjay Deshpande, Advocate for Respondent No.6

**WITH
WRIT PETITION NO. 11430 OF 2019**

Balaji Nagorao Hilal
VERSUS
The State Of Maharashtra And Others

...
Mr. Dhage Vaibhav B., Advocate for the Petitioner
Mr. S. D. Ghayal, Addl. GP for Respondents State
Mr. A. B. Kadethankar, Advocate for Respondent No.6

WITH
WRIT PETITION NO. 12294 OF 2019

Kamlabai Shankar Jogdand
VERSUS
The State Of Maharashtra And Ors

...
Mr. Dhage Vaibhav B., Advocate for the Petitioner
Mr. S. D. Ghayal, Addl. GP for Respondents State
Mr. M.K. Goyanka, Advocate for Respondent No.6
Mr. S. S. Shinde, Advocate for Respondent No.8

WITH
WRIT PETITION NO. 11500 OF 2019

Sulakshana Abhilash Pandagale
VERSUS
The State Of Maharashtra And Others

...
Mr. Dhage Vaibhav B., Advocate for the Petitioner
Mr. S. D. Ghayal, Addl. GP for Respondents State
Mr. A. B. Kadethankar, Advocate for Respondent No.6

WITH
WRIT PETITION NO. 12021 OF 2018

Ashwini Prabhakar Shingne
VERSUS
The State Of Maharashtra And Another

...
Mr. Mayure Pramod C, Advocate for the Petitioner
Mr. S. D. Ghayal, Addl. GP for Respondents State
Mr. Dhananjay Deshpande, Advocate for Respondent No.2

WITH
CIVIL APPLICATION NO. 7150 OF 2020
IN WP/12021/2018

The Oriental Insurance Co Ltd., Thr Manager
VERSUS
Ashwini Prabhakar Shingne And Another

...
Mr. Dhananjay Deshpande, Advocate for Applicant
Mr. S. D. Ghayal, Addl. GP for Respondents State

**WITH
WRIT PETITION NO. 12117 OF 2019**

Naim Akthar Sayyad Rassul
VERSUS
The State Of Maharashtra And Others

...

Mr. Dhage Vaibhav B., Advocate for the Petitioner
Mr. S. D. Ghayal, Addl. GP for Respondents State
Mr. A. B. Kadethankar, Advocate for Respondent No.6

**WITH
WRIT PETITION NO. 12893 OF 2018**

Rohini Sanjay Ugale
VERSUS
The State Of Maharashtra And Others

...

Mr. T. S. Kotkar h/for Mr. Kotkar Sanjay D., Advocate for the Petitioner
Mr. S. D. Ghayal, Addl. GP for Respondents State
Mr. Dhananjay Deshpande, Advocate for Respondent No.3

**WITH
CIVIL APPLICATION NO. 7149 OF 2020
IN WP/12893/2018**

The Oriental Insurance Col Ltd
VERSUS
Rohini Sanjay Ugale And Others

...

Mr. Dhananjay Deshpande, Advocate for Applicant
Mr. S. D. Ghayal, Addl. GP for Respondents State

**WITH
WRIT PETITION NO. 39 OF 2019**

Meena Lahu Talekar
VERSUS
The State Of Maharashtra And Others

...

Mr. Mayure Pramod C, Advocate for the Petitioner
Mr. S. D. Ghayal, Addl. GP for Respondents State
Mr. Tushar M. Tandale, Advocate for Respondent No.2
Mr. A. B. Kadethankar, Advocate for Respondent No.3

**WITH
WRIT PETITION NO. 3515 OF 2019**

Ashabai Santosh Gadekar And Ors
VERSUS
The State Of Maharashtra And Others

...

Mr. Mayure Pramod C, Advocate for the Petitioner
Mr. S. D. Ghayal, Addl. GP for Respondents State
Mr. Sachin S. Randive, Advocate for Respondent No.2
Mr. Dhananjay Deshpande, Advocate for Respondent No.3

**WITH
CIVIL APPLICATION NO. 7148 OF 2020
IN WP/3515/2019**

The Oriental Insurance Co. Ltd. Through Its Div Manager
VERSUS
Ashabai Santosh Gadekar And Ors

...

Mr. Dhananjay Deshpande, Advocate for Applicant
Mr. S. D. Ghayal, Addl. GP for Respondents State

**WITH
WRIT PETITION NO. 3516 OF 2019**

Mangala Sahebrao Shinde And Ors
VERSUS
The State Of Maharashtra And Others

...

Mr. Mayure Pramod C, Advocate for the Petitioner
Mr. S. D. Ghayal, Addl. GP for Respondents State
Mr. Sachin S. Randive, Advocate for Respondent No.2
Mr. Dhananjay Deshpande, Advocate for Respondent No.3

**WITH
CIVIL APPLICATION NO. 7153 OF 2020
IN WP/3516/2019**

The Oriental Insurance Co Ltd.,
VERSUS
Mangala Sahebrao Shinde And Ors

...

Mr. Dhananjay Deshpande, Advocate for Applicant
Mr. S. D. Ghayal, Addl. GP for Respondents State

**WITH
WRIT PETITION NO. 5074 OF 2021**

Naim Akthar Sayyad Rassul
VERSUS
The State Of Maharashtra And Others

...

Mr. Dhage Vaibhav B., Advocate for the Petitioner
Mr. S. D. Ghayal, Addl. GP for Respondents State
Mr. A. G. Kanade, Advocate for Respondent No.6

**WITH
WRIT PETITION NO. 7661 OF 2019**

Naim Akthar Sayyad Rassul
VERSUS
The State Of Maharashtra And Others

...

Mr. T. S. Kotkar h/for Mr. Sanjay D. Kotkar, Advocate for the Petitioner
Mr. S. D. Ghayal, Addl. GP for Respondents State
Mr. Dhananjay Deshpande, Advocate for Insurance Company

**CORAM : RAVINDRA V. GHUGE &
Y. G. KHOBRADE, JJ.**

DATE : 16th June, 2025

ORDER:

We have heard the learned Advocates for the respective sides in all these matters and considering the peculiar facts, with their consent, we are passing the following orders:-

1) Writ Petition Nos. 39 of 2019, 41 of 2019 and 1896 of 2019

In all these matters, the claims of the Petitioners have been rejected by the Competent District Committee. Consequentially, the Petitioners desire to approach the concerned District Consumer Disputes Redressal Forum. Considering that the Petitioners have approached this Court bona fide, we are taking recourse to Sections 12 and 14 of

the Limitation Act to excuse the period spent by the Petitioners in this Court. A formal application for condonation of delay for the period involving the date of the institution of the Writ Petitions in the High Court until today, shall be filed by these Petitioners and this period shall be excused while considering their claim before the District Consumer Disputes Redressal Forum.

The Insurance Company has deposited the amounts claimed by the Petitioners, in this Court in Writ Petition Nos. 41 of 2019 and 1896 of 2019. If the Petitioners approach the District Consumer Disputes Redressal Forum at Chhatrapati Sambhajanagar within 30 days from today, with a written intimation to this Court, the Registry shall transfer the deposited amounts in these matters, along with accrued interest, to the Chhatrapati Sambhajanagar District Consumer Forum within a period of 60 days, from the date of the written intimation. In Writ Petition Nos. 39 of 2017, the Insurance company has not deposited any amount in this Court.

Needless to state, the application for condonation of delay shall be adjudicated upon within a period of 60 days and, thereafter, the proceedings shall be decided on their merits within a period of 120 days.

With the above directions **these Petitions are disposed off.**

2) **Writ Petition No. 1712 of 2020**

In this matter, it is undisputed that the Insurance Company has paid the amount to the legal heirs of the deceased. The present claim is put forth by the mother of the deceased. This being a dispute between legal heirs and the mother, the Petitioner mother may avail of a remedy as is permissible in law, if she desires to claim a share in the compensation. All contentions of the parties are kept open.

With the above direction, **this Petition is disposed off.**

3) **Writ Petition Nos. 8061 of 2019, 8081 of 2019 and Writ Petition No. 901 of 2022**

The District Consumer Disputes Redressal Forum has rejected the claims of these Petitioners. They have directly approached this Court. The Petitioners pray for leave to approach the State Consumer Disputes Redressal Commission and further pray that the period spent by the Petitioners in this Court, may be excused.

Considering the above and Sections 12 and 14 of the Limitation Act, **all these Petitions are disposed off** with liberty to the Petitioners to approach the State Consumer Disputes Redressal Commission within a period of 30 days, with written intimation to this Court. The time spent by the Petitioners in this Court is excused. A formal application for condonation of delay to be filed, which shall be

decided within a period of 60 days. If the delay is condoned, let the State Consumer Disputes Redressal Commission endeavour to decide the Appeals within a period of 120 days.

The money deposited by the Insurance Company in this Court shall be transmitted by the Registry of this Court to the State Consumer Disputes Redressal Commission at Chhatrapati Sambhajnagar, within a period of 60 days from the date of the written intimation.

4) Writ Petition No. 822 of 2022

In this matter, the Petitioner has not approached the Competent District Committee. This issue is settled by this Court and it is ruled that the claimants have to first approach the Committee. The Petitioner submits that she would appear before the Competent District Committee by preferring a claim and prays that the same be decided by the Committee within a timeline. As such, let the Petitioner prefer a proceeding before the Competent District Committee which shall decide the same within a period of 90 days.

With the above directions, **this Petition is disposed off.**

5) Writ Petition Nos. 11430 of 2019, 11500 of 2019 and 12117 of 2019

In all these matters, the learned Advocate for the Insurance Company is instructed to state that the Insurance Company will deposit the amount in this Court within period of four weeks from today, with liberty to the Petitioners to withdraw the same. We grant liberty to these Petitioners to withdraw the said amount under proper identification of their Advocate by tendering a copy of their Adhaar Card.

With the above directions, **these Petitions are disposed off.**

6) Writ Petition No. 720 of 2020

In this matter, it is submitted that the claim of Petitioner No.1 and 3 has been rejected by the Competent District Committee. The claim of Petitioner no. 2 is allowed and she has been disbursed with the compensation amount. Petitioner Nos. 1 and 3 desire to approach the District Consumer Disputes Redressal Forum within a period of 30 days.

Considering Section 12 and 14 of the Limitation Act, the concerned Petitioner nos. 1 and 3, are permitted to approach the District Consumer Disputes Redressal Forum within 30 days, with a written intimation to this Court. The time spent by the Petitioners in this Court from the date of the filing of the Petition would stand excused. A formal application for condonation of delay shall be filed, which shall be decided within 60 days. If the delay is condoned, the application for

compensation would be decided by the District Consumer Disputes Redressal Forum within a period of 120 days.

The amount deposited by the Insurance Company in this Court, with reference to Petitioner Nos. 1 and 3, shall be transmitted by the Registry of this Court to the District Consumer Disputes Redressal Forum, Jalna within a period of 60 days from the date of the written intimation.

With the above directions **this Petition is disposed off**

7) Writ Petition Nos. 1974 of 2020, 3735/2018, 3515/2019, 3516 of 2019

The Competent District Committee has rejected the claims of these Petitioners. The Petitioners desire to approach the District Consumer Disputes Redressal Forum, Chhatrapati Sambhajiagar, within a period of 30 days.

Let the Petitioners approach the District Forum, with written intimation to this Court. The time spent by the Petitioners in this Court from the date of the filing of the Petition till the date of this order, shall be excused considering Sections 12 and 14 of the Limitation Act. A formal application for condonation of delay shall be filed by the Petitioners, which would be decided within 60 days. If the delay is condoned, the main application for compensation shall be decided within a period of 120 days.

If the Insurance Company has deposited the amount in this Court, the Registry to transfer the same to the concerned District Consumer Disputes Redressal Forum, within 60 days from the date of the written intimation by the Petitioners.

With the above directions, **these Petitions are disposed off.**

8) Writ Petition Nos. 12021 of 2018

The learned Advocate for the Respondent submits that the Insurance Company is agreeable to permit the Petitioner to withdraw the amount deposited in this Court. Let the Petitioner withdraw the said amount under proper identification of the Advocate and by tendering the Adhaar Card.

With this direction, **this Petition is disposed off.**

9) Writ Petition Nos. 2856 of 2021, 5074 of 2021, 3031 of 2021, 12294 of 2019

In all these matters, the Competent District Committee has accepted the claims of the Petitioners. The same have not been challenged by the Insurance Company.

The learned Advocate for the Insurance Company submits that since the Competent Committee has accepted the claims of these

Petitioners, the Company would deposit the amount along with interest, in this Court within 30 days from today.

The Petitioners would be at liberty to withdraw the said amounts without conditions, on proper identification of the learned Advocate and by tendering copies of their Adhaar Cards.

With the above directions, **these Petitions are disposed off.**

10) Writ Petition Nos. 12893 of 2018, 7491 of 2019 and 7661 of 2019

The learned Advocates for the Petitioners submit that the Petitioners have approached the Competent District Committee and an order has not yet been passed by the Committee.

In view of the above, we direct the Committee to decide the claims of these Petitioners, if not already decided and if the claims are allowed, the compensation amount be disbursed to the eligible Petitioners. Let this exercise be completed within a period of 120 days.

The petitions are disposed off.

All **pending Civil Applications** in these matters would not survive and **stand disposed off.**

(Y. G. KHOBRAGADE, J.)

(RAVINDRA V. GHUGE, J.)