



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

**65 CIVIL APPLICATION NO. 14049 OF 2025
IN FAST/12979/2025**

Mahadev Digambar Jaybhaye

VERSUS

**New India Assurance Company Ltd Through Its Branch Manage
Jalna Road Beed**

...

**Mr. Dargad Swapnil Sunilkumar, Advocate for Applicant
Mr. S R Bodade, Advocate for Respondent**

WITH

**CIVIL APPLICATION NO. 4745 OF 2025
IN FAST/12979/2025**

WITH

**CIVIL APPLICATION NO. 4746 OF 2025
IN FAST/12979/2025**

....

CORAM : SANJAY A. DESHMUKH, J.

DATE : 22.12.2025

PER COURT :-

STAY APPLICATION

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

1. This is an application seeking permission to withdraw the amount deposited in this Court pursuant to the award.
2. Heard.
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 applicant is permitted to withdraw 50% of the amount with accrued interest thereon deposited in this Court on furnishing usual undertaking.
- c. The said amount be transmitted to the learned Commissioner for Employees Compensation & Civil Judge (S. D.) Beed, which shall thereafter disburse that amount to the applicant / claimant accordingly.
- d. The applicant shall submit undertaking before the learned

Commissioner for Employees Compensation & Civil Judge (S. D.),
Beed and the Tribunal shall forward it to this Court.

c. The application is disposed of.

APPLICATION FOR DELAY

1. Heard.

2. This is an application for condonation of delay of 71 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.

b. The delay of 71 days caused in filing the first appeal is
hereby condoned.

c. The application is disposed of.

FIRST APPEAL

1. Issue notice to the respondents, returnable on 09.02.2026.
2. Learned Advocate Mr. Dargad Swapnil Sunilkumar waives service of notice for Respondent No.1.
3. Call for Record and Proceedings.

[SANJAY A. DESHMUKH, J.]

HRJadhav