



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

934 CIVIL APPLICATION NO. 13923 OF 2025
IN FAST/23798/2025

HARIBHAU MUNJAJI WAKLE
VERSUS
THE NEW INDIA ASSURANCE CO LTD THROUGH ITS BRANCH
MANAGER

...
Advocate for Applicant : Mr. Mayure C. Pramod.
Advocate for Respondent No.1 : Mr. Manoj D. Shinde.
...

WITH
CIVIL APPLICATION NO. 9327 OF 2025
IN FAST/23798/2025

THE NEW INDIA ASSURANCE CO LTD THROUGH ITS BRANCH MANAGER
VERSUS
HARIBHAU MUNJAJI WAKLE AND OTHERS

...
Advocate for Applicant : Mr. Manoj Dharmaraj Shinde.
Advocate for Respondent Nos.1 & 2 : Mr. P. C. Mayure.
...

WITH
CIVIL APPLICATION NO. 9328 OF 2025
IN FAST/23798/2025
...

CORAM : **SANJAY A. DESHMUKH, J.**

DATE : 19th December, 2025.

P.C.:

1 Heard the learned counsel for the parties. Perused the applications.

Application for condonation of delay:

2 This is an application for condonation of delay of 71 days caused

in filing the first appeal.

3 For the reasons stated in the application, the delay stands condoned. The application stands allowed in the interest of justice. Appeal be registered.

Application for stay:

4 This is an application seeking stay to the execution of the impugned judgment and award.

5 Since the appellant has already deposited the amount as per the impugned judgment and award in this Court, there shall be stay to the impugned judgment and award till the pendency of the appeal. The application stands disposed of.

Appeal:

6 Issue notice to respondents, returnable on 13th February, 2026. Mr. P. C. Mayure, learned counsel waives notice on behalf of respondent Nos.1 & 2.

Application for withdrawal of amount:

7 This application is for withdrawal of the amount deposited by the appellant in this Court as per the impugned judgment and award.

8 The learned counsel for the appellant strongly opposes the application.

9 For the reasons stated in the application and considering the arguments of both the sides, the following order is passed :-

ORDER

- I. The applicant is permitted to withdraw 50% of the amount with accrued interest thereon deposited in this Court on furnishing usual undertaking. The remaining amount be kept in fixed deposit in any nationalized bank till disposal of the appeal.
- II. With this, the civil application for withdrawal of amount stands disposed of.

[SANJAY A. DESHMUKH, J.]

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