



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

**921 CIVIL APPLICATION NO. 9809 OF 2025
IN FAST/15749/2025**

Shilabai Patilbuwa Kurlekar

VERSUS

United India Assurance Co Ltd Through Its Branch Manager And Ors

...

Mr. Dargad Swapnil Sunilkumar and Ms. Ankita J. Mantri, Advocate for
Applicant

Mr. Atul B. Gatne, Advocate for Respondent No.1

WITH

**CIVIL APPLICATION NO. 6222 OF 2025
IN FAST/15749/2025**

United India Insurance Co Ltd

VERSUS

Shilabai Patilbuwa Kurlekar And Ors

...

Mr. Atul Bhaskar Gatne, Advocate for Applicant

Mr. Dargad Swapnil Sunilkumar and Ms. Ankita J. Mantri, Advocate for
Respondent No.1

....

CORAM : SANJAY A. DESHMUKH, J.

DATE : 14.11.2025

PER COURT :-

APPLICATION FOR CONDONATION OF DELAY

1. Heard the learned counsel for the parties.
2. This is an application for condonation of delay of 47 days caused
in filing the first appeal.
3. The learned counsel 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 47 days caused in filing the first appeal is hereby condoned.

FIRST APPEAL

1. Issue notice to the respondents, returnable on 12.12.2025.
2. Mr. S. S. Dargad and Ms. Ankita J. Mantri, learned Advocates waive service of notice for Respondent No.1.
3. Call for Record and Proceedings.

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 No.1 strongly opposed the application. He submitted that there was a delay of 87 days in lodging the report and that the offending vehicle has been falsely shown as involved in the accident. He therefore contended that the claim is totally false and that the applicant is not entitled to withdraw the compensation amount.

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 to the satisfaction of the Registrar (Judicial) of this Court.

[SANJAY A. DESHMUKH, J.]

HRJadhav