

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION**

**FIRST APPEAL (ST.) NO. 3683 OF 2023  
WITH  
INTERIM APPLICATION NO. 15445 OF 2023  
WITH  
INTERIM APPLICATION NO. 15446 OF 2023  
IN  
FIRST APPEAL (ST.) NO. 3683 OF 2023**

The United India Insurance Company  
Limited, Ratnagiri

.... Appellant

V/s.

Shamika Sachin Gujar and Ors.

.... Respondents

**WITH  
INTERIM APPLICATION NO. 1740 OF 2025  
IN  
FIRST APPEAL (ST.) NO. 3683 OF 2023**

Shamika Sachin Gujar and Ors.

.... Applicants

In the matter between :-

The United India Insurance Company  
Limited, Ratnagiri

.... Appellant

V/s.

Shamika Sachin Gujar and Ors.

.... Respondents

Mr. Rahul Mehta i/b. KMC Legal Venture for the Applicant in  
IA/15445/2024, IA/15446/2024 and for the Appellant in FA.  
Mr. Shreyas Butala for the Applicant in IA/1740/2025.

**CORAM : SHYAM C. CHANDAK, J.**

**DATED : 12<sup>th</sup> FEBRUARY, 2025**

**P.C. :-**

**ORDER IN INTERIM APPLICATION NO. 15445 OF 2023 :-**

. Heard. The present Application is seeking for condonation of  
delay of 158 days in filing the Appeal.

2) The delay is sought on the ground that there were many  
appeals and it took lot of time to complete the process at various levels.

3) The delay is not huge. The Applicant/Appellant has not gained any advantage on account of the said delay. The Applicant/Appellant has deposited the entire amount of compensation with the Tribunal.

4) In view thereof and for the reasons stated in the Application, the Application deserves to be allowed. Hence, the following Order :-

(a) Interim Application No.15445 of 2023 is allowed.

(b) The delay of 158 days in filing the present Appeal is condoned. Appeal be registered after removal of office objections, if any.

5) Interim Application No.15445 of 2023 stands disposed of.

**ORDER IN INTERIM APPLICATION NO. 15446 OF 2023 :-**

6) By this Application, the Applicant – Insurance Company has sought stay of the execution and implementation of the impugned judgment and award dated 25<sup>th</sup> May, 2022 passed by the learned Member, Motor Accident Claims Tribunal, Khed, Dist. Ratnagiri in MACP No.38 of 2019 wherein the Claims Tribunal has awarded compensation of Rs.18,24,200/- with interest @ 6% p.a. from the date of filing of the application till the recovery of entire amount.

7) Learned Advocate for the Appellant states that as directed in the Order dated 08<sup>th</sup> November 2023, the Applicant/Appellant has deposited the entire amount of compensation along with accrued interest with the Tribunal.

8) In view thereof, the Application is allowed in terms of prayer clause (a) and stands disposed of.

**ORDER IN INTERIM APPLICATION NO. 1740 OF 2025 :-**

9) By this Application, the Applicants/Original Claimants are seeking permission to withdraw the amount of compensation deposited by the Appellant with the Motor Accident Claims Tribunal to meet their day-to-day expenses.

10) The Applicant Nos.2 and 3 are minors. The Applicant No.1 is permitted to receive the interest accruing on the compensation amount of the share of the Applicant Nos.2 and 3 which is kept in fixed deposit.

11) In view thereof, the Applicant No.1 is permitted to withdraw 50% of the compensation amount of her share with proportionate interest subject to furnishing usual undertaking that in case the Appellant succeeds in this Appeal, the Applicant No.1/Claimant would refund the said amount along with interest as would be directed by this Court. The Tribunal shall invest remaining amount with Nationalised bank giving highest interest from time to time.

12) The statutory amount deposited in this Court shall be transferred to the Tribunal.

13) Interim Application No.1740 of 2025 stands disposed of in the aforesaid terms.

PREETI  
HEERO  
JAYANI

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(SHYAM C. CHANDAK, J.)