

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

**INTERIM APPLICATION NO. 14822 OF 2024
WITH
INTERIM APPLICATION NO. 14823 OF 2024
IN
FIRST APPEAL (ST.) NO. 27818 OF 2024**

National Insurance Company Ltd. Applicant
V/s.
Sangita Chandrakant Lengare and Ors. Respondents

**WITH
INTERIM APPLICATION NO. 6480 OF 2025
IN
FIRST APPEAL (ST.) NO. 27818 OF 2024**

Sangita Chandrakant Lengare and Ors. Applicants

In the matter between :-

National Insurance Company Ltd., Mumbai Appellant
V/s.
Sangita Chandrakant Lengare and Ors. Respondents

Mr. Mahindra Deshmukh for the Applicants in IA/6480/2025.
Ms. S.S. Dwivedi for the Appellant – Insurance Company.

CORAM : SHYAM C. CHANDAK, J.

DATED : 25th MARCH, 2025

P.C. :-

ORDER IN INTERIM APPLICATION NO. 14822 OF 2024 :-

. Heard.

2) By this Application, the Applicant/Insurance Company seeks to condone the delay of 31 days in filing the aforesaid Appeal.

3) The learned Advocate for Respondent Nos.1 to 5 has no objection to condone the delay.

4) Despite service of notice, Respondent Nos.6 and 7 have not filed their appearance.

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

6) In view thereof and for the reasons stated in the Application, the Application is allowed. The delay of 31 days in filing the aforesaid Appeal is condoned.

7) Appeal be registered after removal of office objections, if any.

8) Interim Application stands disposed of.

ORDER IN INTERIM APPLICATION NO. 14823 OF 2024 :-

9) Learned Advocate for the Applicant states that the entire amount of compensation is deposited before the concerned Tribunal. Hence, the interim stay granted *vide* Order dated 28th November, 2024 stands confirmed in terms of prayer clause (a).

10) Interim Application stands disposed of.

ORDER IN INTERIM APPLICATION NO. 6480 OF 2025 :-

11) By this Application, the Applicants/Original Respondent Nos.1 to 5 seeking permission to withdraw the compensation amount.

12) The Application is opposed by the learned Advocate for the Appellant.

13) The withdrawal is sought on the ground that the deceased was the sole bread winner of the family and after his death, the Claimants are in need of money. The Applicant Nos.2 and 3 are studying in school. The Applicant No.1-widow requires the money for their schooling, day-to-day

expenses and fulfilling basic needs of the family. The Applicant Nos.4 and 5, the aged parents of the deceased require the money for their medical expenses.

14) The Applicant Nos.2 and 3 being minors, the Applicant No.1 – wife of the deceased is permitted to withdraw the interest accruing on the compensation amount of the said minor Applicant Nos.2 and 3, which is lying in fixed deposit.

15) In view thereof and considering the grounds stated in the Application, the Applicant Nos.1, 4 and 5 are permitted to withdraw 50% of the compensation amount of their share with proportionate interest subject to furnishing usual undertaking that in case the Appellant succeeds in this Appeal, the Applicant Nos.1, 4 and 5 would refund the said amount along with interest as would be directed by this Court. The Tribunal shall invest the remaining amount with nationalized bank giving highest interest from time to time.

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

17) Interim Application stands disposed of.

(SHYAM C. CHANDAK, J.)