



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CIVIL APPLICATION (CAF) NO. 1433 OF 2024

IN

FIRST APPEAL NO. 759 OF 2022

National Insurance Company Ltd., having its Regional Office at Nagpur, also has an
office at Kolhapur through its Regional Manager

Vs.

Mrs. Teju @ Deepa Vitthal Kamble and others

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri V.B. Maldhure, Advocate for appellant
Shri S.W. Sambre, Advocate for respondent Nos. 1 to 3

CORAM : SHRI ABHAY J. MANTRI, J.

DATED : 24.07.2025

Applicant/appellant has filed this application to permit it to amend the appeal memo as, on inspection of the record and proceedings, he found that the deceased died due to '*Hypertrophic Cardiomyopathy disease*', and not by a heart attack. However, the observation made by the learned Commissioner under the Employees' Compensation Act/Labour Court, Nagpur, is that the deceased died due to a heart attack. Therefore, he submitted that the said finding appears contrary to the medical report, and hence, he wants to amend the appeal memo in that regard.

2. I have gone through the opinion of the Civil Surgeon and M.M.S. Officer, Dr. M.S. Gedam. I found substance in his contention in that regard; hence, the application is allowed as prayed.

3. Applicant is directed to carry out the amendment within two weeks and supply a copy of the amended memo of appeal to the other side, within two weeks thereafter.
4. List the matter after four weeks.

CIVIL APPLICATION (CAF) NO. 4451 OF 2019

It appears that the appellant has deposited the entire decretal amount along with interest before the Labour Court, Nagpur/Commissioner. Accordingly, he has filed the pursis and also made the statement in paragraph 6 of the application in this regard.

2. His statement is accepted.
3. Having considered the said facts and the reasons disclosed in the application, the application is allowed in terms of the prayer Clause – (1).

(ABHAY J. MANTRI, J.)

Jayashree....