



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, AT NAGPUR.**

CIVIL APPLICATION (CAF) NO. 2300 OF 2025

IN

CIVIL APPLICATION NO. 1518 OF 2025 IN FIRST APPEAL (STAMP) NO. 3105/2023

(The Oriental Insurance Co. Ltd. vs.. Smt. Savita Balubhau Bhagat and others)

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

Court's or Judge's orders

Mr. A.W. Paunikar, Advocate for the appellant,
Mr. S. Alaspurkar, Advocate for respondent Nos. 1 to 4.

CORAM : ABHAY J. MANTRI, J.

DATED : 22-07-2025

Applicants/respondent Nos. 1 to 3 have moved this application to permit them to withdraw the entire compensation amount along with accrued interest thereon deposited by the appellant in this Court. However, during the argument, the learned Advocate for the applicants submitted that the applicants be permitted to withdraw 60% of the amount along with accrued interest thereon, for which the learned Advocate for the appellant has given no objection.

2. Having considered the reasons disclosed in the application and no objection of the appellant, the application is partly allowed. The applicants are permitted to withdraw 60% of the compensation amount, along with accrued interest thereon, upon furnishing a usual undertaking.

3. The Registrar (J) is directed to transfer 60% of the compensation amount along with accrued interest thereon as per the award in the bank account of the respective applicant Nos. 1 to 3 including the proportionate share of respondent No.

4 who is expired, within five weeks from they furnishing the usual undertaking as well as bank account details to the registry.

Civil Application No. 1518/2023.

Leave is granted to delete the name of respondent No. 4 forthwith as she expired on 08-10-2018, and her legal heirs, i.e. respondent Nos. 1 to 3, are already on record.

2. The applicant/appellant has filed this application to condone the delay of 255 days in filing the appeal, for which the learned Advocate for respondent Nos. 1 to 3 has given no objection. Though the notice is served on respondent No. 5, none appears on his behalf.

3. Having considered the reasons disclosed in the application and no objection of respondent Nos. 1 to 3, the application is allowed. The delay is condoned. The appeal be registered accordingly.

First Appeal (Stamp) No. 3105/2023

Heard.

2. Issue notice to the respondents, returnable after four weeks.

3. Mr. Sawan Alaspurkar, learned Advocate, waives service of notice on behalf of respondent Nos. 1 to 3.

4. Call for record and proceedings.

(ABHAY J. MANTRI, J.)