



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

CIVIL APPLICATION (CAF) NO. 2468 OF 2018

IN

FIRST APPEAL (STAMP) NO. 17747 OF 2018

(The Divisional Manager, The New India Assurance Co. Ltd. ..vs.. Vandana wd/o Ravindra Tayade 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,
Ms. S.H. Bhagat, Advocate for respondent Nos. 1 to 6.

CORAM : ABHAY J. MANTRI, J.

DATED : 21-07-2025

The applicant/appellant has filed this application to condone the delay of 152 days in filing the appeal, for which the learned Advocate for respondent Nos. 1 to 6 have no objection. None appears on behalf of respondent Nos. 7 to 10.

2. Having considered the reasons stated in the application as well as no objection given by respondent Nos. 1 to 6, the application is allowed as prayed. The delay is condoned. The appeal be registered accordingly.

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Heard.

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

3. Ms. S.H. Bhagat, learned Advocate, waives service of notice on behalf of respondent Nos. 1 to 6.

Civil Application No. 715/2024.

Applicants/respondent Nos. 1 to 6 have filed this application to permit them to withdraw the amount deposited by the appellant in this Court along with accrued interest thereon, for which the learned Advocate for the appellant has strongly objected.

2. Having considered the reasons disclosed in the application as well as gone through the impugned judgment, I do not find substance in the objection raised by the learned Advocate for the appellant to resist the application. On the contrary, I deem it appropriate that the applicants are entitled to withdraw the 70% amount of compensation along with accrued interest thereon. Accordingly, the application is partly allowed.

3. The Registrar (J) is directed to transfer 70% of the compensation amount along with accrued interest thereon, in the bank accounts of the respective applicants, as per the award, within four weeks, on their furnishing the usual undertaking as well as their bank account details to the registry.

3. The application is disposed of accordingly.

(ABHAY J. MANTRI, J.)

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