

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

CIVIL APPLICATION (F) NO. 86 OF 2025
AND
CIVIL APPLICATION (F) NO. 2044 OF 2025
IN
FIRST APPEAL (STAMP) NO. 8813 OF 2024

(The New India Assurance Co. Ltd. vs. Ashwini Bhushan Barekar and others)

*Office Notes, Office Memorandum of Coram,
appearances, Court's orders of the directions,
and Registrar's orders.*

Court's or Judge's order

Mr. Lalit Limaye, Advocate for applicant/appellant.
Ms. Monali Pathade, Advocate for respondent No.1.
Mr. Arpit B. Waghade, Advocate h/f. Ms. Ratna Singh, Advocate for
respondent Nos. 2 and 5.

CORAM : ABHAY J. MANTRI, J.

DATE : JUNE 16, 2025

CIVIL APPLICATION (F) NO. 86 OF 2025

1) Applicant/appellant Insurance Company moved this application to condone the delay of 02 days caused in filing the appeal. Learned counsel for respondent Nos. 1, 2 and 5 have given no objection for the same. The respondent No.4 is reported to be dead. Respondent No. 3, although served, chose to remain absent.

2) Considering the reasons disclosed in the application and no objection given by the learned counsel appearing for respondent Nos. 1, 2 and 5, the application is allowed as prayed. The delay of 02 days caused in filing the appeal is hereby condoned.

3) The appeal be registered accordingly.

CIVIL APPLICATION (F) NO. 2044 OF 2025

1) The applicant/respondent No. 1 has moved this application to permit her to withdraw the awarded compensation

amount, along with accrued interest thereon. She also submitted that out of that amount, an amount of Rs. 3 lakh is required to be paid to respondent No. 5 as per the Award. Learned counsel for the appellant has not objected to the withdrawal of 50% of the amount, along with accrued interest thereon, by the applicant and respondent No.5.

2) Considering the reasons stated in the application and submissions of learned counsel for the appellant, the application is partly allowed. The applicant/respondent No.1 and respondent No.5 are entitled to withdraw 50% of the amount along with accrued interest thereon till this date, and out of that amount, an amount of Rs.3 Lakh along with accrued interest thereon is to be paid to respondent No.5.

(ABHAY J. MANTRI, J.)

KOLHE