



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

CIVIL APPLICATION NO. 14101 OF 2025 IN FAST/2806/2024

Manisha Sachin Bhalerao
VERSUS
National Insurance Company Ltd

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Mr. Chavan Narayan Yashavantrao, Advocate for Applicant
Mr. Atul B. Gatne, Advocate for Respondent no.1
Mr. Nikhil N. Narlawar h/f Mr. B. N. Gadegaonkar, Advocate for
Respondent nos.4 to 6

**WITH
CIVIL APPLICATION NO. 3467 OF 2024 IN FAST/2806/2024**

**CORAM : SANJAY A. DESHMUKH, J.
DATED : 20TH JANUARY, 2026**

PER COURT :-

CIVIL APPLICATION NO. 3467 OF 2024

1. This is an application for condonation of delay of 81 days caused for filing of First Appeal.
2. Perused the application. Heard learned Advocates for both the sides.
3. Learned Advocate for the applicant pointed out the reasons of delay. He submitted that some time was required for taking approval of the Senior Officials of the Insurance Company. Therefore, the appeal was not filed within limitation. He prayed to condone the delay in the interest of justice as the delay is not deliberately caused.
4. Upon perusal of the application and considering the reasons stated in the application and the days of delay, it appears that the

delay is not deliberately caused and deserves to be condoned. Hence, the following order:

ORDER

- a. Civil Application is allowed.
- b. Delay of 81 days caused for filing of First Appeal is condoned.
- c. Civil Application stands disposed of.

CIVIL APPLICATION NO. 14101 OF 2025

1. This is an application for permission to withdraw the amount deposited by the Insurance Company as per the impugned judgment and award dated 21.07.2023, passed in M.A.C.P. No.10/2018, delivered by the Motor Accident Claims Tribunal, Parbhani.

2. Learned Advocate for the applicant pointed out the order of this Court dated 23.01.2025, by which the parents and brother of the deceased husband of the applicant were permitted to withdraw Rs.9,00,000/-. The applicant is wife of the deceased Sarang Dhone. Learned Advocate for the applicant submitted that she be permitted to withdraw Rs.2,50,000/- and the M.A.C.T be directed to fix the amount of Rs.3,00,000/- in Fixed Deposit in her name. He lastly submitted to allow the application.

3. Learned Advocate for the respondent strongly objected the application and submitted that it is not known to the Insurance

Company as to whether the applicant Manisha has been performed second marriage or not. She had filed application without stating the name of her husband, but with the name of father and surname of her father. Learned Advocate for the respondent therefore opposed to allow the application.

4. Considering the fact situation of the case, the application deserves to be allowed on the principle of parity in view of the order passed by this Court dated 23.01.2025 in Civil Application No.13700 of 2024. Hence, the following order:

ORDER

- a. Civil Application is allowed.
- b. Applicant is permitted to withdraw Rs.2,00,000/- alongwith interest accrued thereon on furnishing usual undertaking and Rs.50,000/- on furnishing surety/security to the satisfaction of the learned Registrar (Judicial) of this Court.
- c. Registry is directed not to insist upon a valuation report as to the value of the property from the Government Authority and may rely upon the 7/12 extract or P.R. Card or assessment report of the village panchayat alongwith the affidavit of the surety.
- d. M.A.C.T, Parbhani is directed to fix the amount of Rs.3,00,000/- in Fixed Deposit in the name of present applicant.

FIRST APPEAL

1. Call Record and proceedings.
2. Issue notice to the respondents. Learned Advocate Mr. Narayan Yashvantrao Chavan waives service of notice for respondent no.4. Learned Advocate Mr. B. N. Gadegaonkar waives service of notice for respondent nos.1 to 3.

(SANJAY A. DESHMUKH, J.)

Rushikesh/2025