



IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD.

950 CIVIL APPLICATION NO. 511 OF 2026
IN FAST/14230/2024

JULEKHABI YUSUF SHAIKH AND OTHERS
VERSUS
THE NEW INDIA ASSURANCE CO LTD THROUGH ITS BRANCH
MANAGER

...
Advocate for Applicants : Mr. Pawankumar Surykiren Agrawal.

Advocate for Respondent No.1 : Mr. S. S. Rathi.
...

WITH
CIVIL APPLICATION NO. 5814 OF 2024
IN FAST/14230/2024

WITH
CIVIL APPLICATION NO. 5815 OF 2024
IN FAST/14230/2024
...

CORAM : **SANJAY A. DESHMUKH, J.**

DATE : 16th January, 2026.

P.C.:

1 Heard the learned counsel for the parties. Perused the applications.

Application for condonation of delay:

2 This is an application for condonation of delay of 237 days caused in filing the first appeal.

3 For the reasons stated in the application, the delay stands condoned. The application stands allowed in the interest of justice.

Appeal be registered.

Application for stay:

4 This is an application seeking stay to the execution of the impugned judgment and award.

5 The learned counsel for the applicant / appellant submits that the entire amount as per the impugned judgment and award is deposited in this Court.

6 In view of the above, there shall be stay to the impugned judgment and award till the pendency of the appeal. The application stands disposed of.

Appeal:

7 Issue notice to respondents. Mr. P. S. Agrawal, learned counsel waives notice on behalf of respondents/claimants.

8 Call for record and proceedings.

Application for withdrawal of amount:

9 This application is for withdrawal of the amount deposited by the appellant in this Court as per the impugned judgment and award.

10 The learned counsel for the appellant / insurance company strongly opposes the application.

11 For the reasons stated in the application and considering the arguments of both the sides, the following order is passed :-

ORDER

- I. The applicants are permitted to withdraw 50% of the amount with accrued interest thereon deposited in this Court on furnishing usual undertaking. The remaining amount be kept in fixed deposit in any nationalized bank till disposal of the appeal.
- II. With this, the civil application for withdrawal of amount stands disposed of.

[SANJAY A. DESHMUKH, J.]

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