



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 3727 OF 2025
IN FAST/10390/2025

The Oriental Insurance Co. Ltd Through Its Branch Manager

VERSUS

Nandawani Bhumanna Shirpe And Ors

...

Mr. Dhananjay Deshpande, Advocate for Applicant

Mr. P. D. Jarare, Advocate for Respondent nos.1 to 5

...

WITH

CIVIL APPLICATION NO. 3729 OF 2025
IN FAST/10390/2025

CORAM : SANJAY A. DESHMUKH, J.

DATED : 27TH JANUARY, 2026

PER COURT :-

CIVIL APPLICATION NO. 3727 OF 2025

1. This is an application for condonation of delay of 09 days caused for filing the First Appeal.
2. Perused the application. Heard learned Advocates for both the sides.
3. Considering the reasons stated in the application and the days of delay, it appears that the delay is not deliberate and deserves to be condoned in the interest of justice. Hence, the following order:

ORDER

- a. Civil Application is allowed.
- b. Delay of 09 days is condoned.

FIRST APPEAL ST. NO.10390 OF 2025

1. Issue notice to the respondent nos.1 to 5. Learned Advocate Mr. P. D. Jarare waives service of notice for respondent nos.1 to 5.
2. Learned Advocate Mr. Dhananjay Deshpande, for appellants seeks leave to delete the name of respondent no.6/owner.
3. Leave granted. Amendment be carried out forthwith.
4. Learned Advocates for both the parties submitted that they have compromised their matter.
5. Today, the verification report was called from the learned Registrar (Judicial) of this Court. The verification report alongwith the terms of settlement in appeal is taken on record and marked as Exhibit-X1 for identification. Parties are present before the Court and they are admitting the terms of compromise. In terms of compromise, the First Appeal is disposed of.
6. It is submitted that the respondent nos.1 to 5 had filed Civil Application for withdrawal of the amount to the extent of 75%. Vide order dated 15.12.2025, such withdrawal was allowed, however, the amount is not withdrawn by the claimants.
7. In view of above, claimants/respondent nos.1 to 5 are permitted to withdraw the amount of Rs.1,19,50,000/- (Rs. One crore nineteen lakhs and fifty thousand only) which includes interest.

8. Registry is directed to pay the permitted amount to the claimants in proportion, in accordance with the apportionment made by the learned Motor Accident Claims Tribunal, Beed.

9. Remaining amount be paid to the appellant/Insurance Company accordingly.

CIVIL APPLICATION NO. 3729 OF 2025

1. This is an application for granting stay to the execution and operation of the impugned judgment and award.

2. Perused the application.

3. The First Appeal has been settled between the parties and in view of settlement the same is disposed of. Consequently, the present Civil Application is disposed of as infructuous.

(SANJAY A. DESHMUKH, J.)