



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

37 CIVIL APPLICATION NO. 9796 OF 2025
WITH
CIVIL APPLICATION NO. 9797 OF 2025
IN FAST/25629/2025

Tata Aig General Insurance Co Ltd
VERSUS
Smt Chhayabai Bhatu Deore, And Others

...
Advocate for Applicant : Mr. Abhijit Choudhari
Advocate for Respondent Nos. 1 to 3 : Mr. Shrikant Subhash Patil

....
WITH
CIVIL APPLICATION NO. 2060 OF 2026
IN FAST/25629/2025

Smt Chhayabai Bhatu Deore And Others
VERSUS
The Tata Aig General Insurance Company Ltd And Others

...
Advocate for Applicant : Mr. Shrikant S. Patil,
Advocate for Respondent No.1 : Mr. Abhijit Choudhari

....

CORAM : SANJAY A. DESHMUKH, J.
DATED : 23rd MARCH, 2026

PER COURT :-

1. The civil application No.9796 of 2025 is filed for condonation of delay of 343 days caused in filing the first appeal.
2. Perused the application and heard learned advocates for both sides. Learned advocate for respondents strongly opposed the application and submitted that delay is not explained properly and

there is no sufficient ground to condone the delay. However, considering the reasons stated in the application, it appears that the delay caused is not deliberate. Therefore, the application is allowed. The delay caused in filing the appeal is condoned in the interest of justice. It is made clear that the applicant will not claim interest in respect of delayed period, if the compensation amount is enhanced in the appeal.

3. In so far as civil application No. 9797 of 2025 is concerned, the same is filed seeking stay to the impugned judgment and award passed by the Tribunal. Learned advocate for the applicant submitted that entire amount under award has been deposited. In view of the same, civil application is allowed in terms of prayer clause "B" and disposed of.

4. In so far as civil application No. 2060 of 2026 is concerned, the same is filed seeking withdrawal of the amount. Perused the application. Heard learned advocates for both the sides. Learned advocate for the respondent strongly opposed the application.

5. Considering the peculiar facts of this case, the application deserves to be allowed partly. The application is thus partly allowed. The applicants are permitted to withdraw 60% amount with accrued

interest thereon, on furnishing usual undertaking to the satisfaction of Registrar (Judicial) of this Court.

6. In first appeal, issue notice to the respondents, returnable on 08.05.2026. Learned advocate Mr. Patil, waives notice for respondent Nos. 1, 2, 3 and 5. Call for record and proceedings.

(SANJAY A. DESHMUKH, J.)

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