



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

**CIVIL APPLICATION NO. 11201 OF 2025
IN FAST/30743/2025**

Bajaj Alianz Gic General Insurance Co Ltd Through Its Branch

Manager

VERSUS

Karan Alias Karan Madhav Dharme And Anr.

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Mr. M. R. Deshmukh, Advocate for Applicant

Mr. M. D. Shinde, Advocate for Respondent no.1

WITH

CIVIL APPLICATION NO. 1103 OF 2026 IN FAST/30743/2025

WITH

CIVIL APPLICATION NO. 11202 OF 2025 IN FAST/30743/2025

CORAM : SANJAY A. DESHMUKH, J.

DATED : 02ND FEBRUARY, 2026

PER COURT :-

CIVIL APPLICATION NO. 11201 OF 2025

1. This is an application for condonation of delay of 39 days caused for filing of First Appeal.
2. Perused the Application. Heard learned Advocates for both the sides.
3. Considering the reasons stated in the application and the period of delay, it would be proper to allow the application in the interest of justice. Hence, the following order:

ORDER

- a. Civil Application is allowed.
- b. Delay of 39 days caused for filing of First Appeal is condoned.
- c. Civil Application is disposed of.

CIVIL APPLICATION NO. 1103 OF 2026

1. This is an application for permission to withdraw the amount deposited in this Court under the impugned judgment and award.
2. Perused the application. Heard learned Advocates for both the sides.
3. Learned Advocate for the respondent/Insurance Company strongly objected the application and submitted that the First Information Report is not lodged, therefore, the case becomes seriously doubtful. He therefore prayed to reject the application.
4. Upon perusal of the application and the impugned judgment and award, it appears that the claimant has sustained injuries resulting in 8% functional disability. Considering all these aspects, it would be proper to allow the application partly. Hence, the following order:

ORDER

- a. Civil Application is partly allowed.
- b. Applicants are permitted to withdraw the 50% amount alongwith accrued interest thereon deposited under the impugned judgment and award on furnishing usual undertaking to the satisfaction of the learned Registrar (Judicial) of this Court.
- c. Civil Application is disposed of.

CIVIL APPLICATION NO. 11202 OF 2025

1. This is an application for stay to the execution and operation of the impugned judgment and award.
2. Perused the application. Heard learned Advocates for both the sides.
3. Learned Advocate for the appellant/Insurance Company submitted that the entire award amount under impugned judgment and award is deposited in this Court.
4. Considering the above fact, it would be proper to allow the application and is allowed in terms of prayer clause 'B'.
5. Civil Application is disposed of.

FIRST APPEAL ST. NO.30743 OF 2025

1. Issue notice to the respondents, returnable on 16.03.2026. Learned Advocate Mr. M. D. Shinde waives service of notice for respondent no.1.
2. Call Record and Proceedings.

(SANJAY A. DESHMUKH, J.)