



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

935 CIVIL APPLICATION NO. 3394 OF 2026
IN FAST/15206/2025

Rahim Shaikh Shaikh Ali

VERSUS

Branch Manager The New India Insurance

...

Advocate for Applicant : Mr. Hanmant B. Nandagavale,
Advocate for Respondents : Mr. M.R. Deshmukh

.....

AND

CIVIL APPLICATION NO. 5471 OF 2025

WITH

CIVIL APPLICATION NO. 5470 OF 2025

IN FAST/15206/2025

Branch Manager, The New India Insurance corrected As Assurance Co
Ltd

VERSUS

Rahim Shaikh Shaikh Ali And Others

...

Advocate for Applicant : Mr. Mohit R. Deshmukh
Advocate for Respondents : Mr. H.B. Nandagavale

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CORAM : SANJAY A. DESHMUKH, J.

DATED : 2nd APRIL, 2026

PER COURT :-

1. The civil application No. 3394 of 2026 is filed for withdrawal of the amount. Perused the application. Heard learned advocates for both the sides. Learned advocate for the respondent strongly opposed the application. Considering the peculiar facts of this case, the application deserves to be allowed partly. The application is thus partly allowed. The applicant is permitted to withdraw 50% amount with accrued

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

2. In so far as the civil application No. 5470 of 2025 is concerned, the same is filed for condonation of delay of 170 days caused in filing the first appeal. Perused the application and heard learned advocates for both sides. Learned advocate for the respondent strongly opposed the application. Considering the reasons stated in the application, it appears that the delay caused is not intentional or deliberate. Therefore, the application is allowed. Delay caused in filing the first appeal is condoned in the interest of justice.

3. In so far as the civil application No. 5471 of 2025 is concerned, the same is filed for grant of stay to the impugned judgment and award passed by the Tribunal. Learned advocate for the applicant submitted that the entire amount under award has been deposited in this Court. In view of the same, civil application is allowed in terms of prayer clause "B" and disposed of.

4. In first appeal, issue notice to the respondents. Learned advocate Mr. Nandagavale, waives notice for respondent Nos.1 to 5. Place the matter before the Lok Adalat, scheduled to be held on 09.05.2026.

(SANJAY A. DESHMUKH, J.)