



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

CIVIL APPLICATION (CAF) NO.1617 OF 2024
WITH CIVIL APPLICATION (CAF) NO.4067 OF 2025
IN
FIRST APPEAL (STAMP) NO.8374 OF 2024

TATA AIG GENERAL INSURANCE CO. LTD., THROUGH ITS BRANCH
MANAGER, CHANDRAPUR

VERSUS

RATNAMALA WD/O ARVIND RAUT AND OTHERS

Office Notes, Office Memoranda of Coram, Appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr. H.N. Verma, Advocate for Applicant/Appellant.

Ms. R.A. Singh, Advocate for Applicants/Respondent Nos.1 to 4.

CORAM : PRAFULLA S. KHUBALKAR, J.

DATED : 22nd JANUARY 2026

1. Heard learned Advocate for the applicant.
2. This is an application for condonation of delay of 296 days in filing statutory appeal.
3. In response to the notice on this application, Advocate Ms. R.A. Singh, appears for the respondent Nos.1 to 4.
4. Learned Advocate for the applicant submits that the delay of 296 days occurred on account of time consuming for obtaining necessary approvals and permissions for filing statutory appeal on behalf of the applicant-insurance company. Therefore, the delay of 296 days is unintentional.
5. Learned Advocate for the respondents has no objection for allowing the application for condonation of delay.

6. Having regard to the contents of the application and submissions advanced, the application is allowed and the delay of 296 days in filing statutory appeal is condoned, however, subject to costs of Rs.3,000/- (Rupees Three Thousand Only), to be deposited by the applicant in Public Welfare Account, which is ordered to be opened vide order dated 12.01.2026, passed in SMPIL No.01 of 2021, within a period of two weeks from today.

7. The civil application is accordingly disposed of.

CIVIL APPLICATION (CAF) NO.4067 OF 2025

8. Heard learned Advocate for the applicants/respondent Nos.1 to 4.

9. This is an application filed by the applicants for withdrawal of the amount of compensation deposited by the appellant-insurance company in the court of Labour Commissioner, Chandrapur, in accordance with the impugned Judgment and Award dated 24.04.2023, passed by Labour Court, Chandrapur.

10. The applicants are the original claimants, who are seeking withdrawal of the amount of compensation on account of reasons mentioned in the application, showing need for the compensation amount.

11. Although the application is opposed, having regard to the contents of the application and submissions advanced, at this stage, the applicants need to be allowed to withdraw 50% of amount of compensation along with accrued interest. Hence, the application is allowed and the applicants are permitted to withdraw 50% of amount

of compensation deposited along with accrued interest, subject to the applicants furnishing a usual undertaking to the concerned Authority.

12. In view of the above, the civil application is disposed of.

FIRST APPEAL (STAMP) NO.8374 OF 2024

13. Heard.

14. Issue notice to the respondents, returnable after four weeks.

15. Advocate Ms. R.A. Singh, appears for respondent Nos.1 to 4 and waives service of notice on behalf of respondent Nos.1 to 4.

16. The appellant is permitted to serve the other respondents by private mode, in addition to regular mode of service and file affidavit of service in that regard by next date.

17. It is pointed out that, by the impugned Judgment and Award, penalty is imposed against the employer-respondent No.5. Neither the employer has filed any appeal nor he has deposited the amount of penalty as directed by the impugned order. Hence, it is clarified that the interim relief granted by this Court vide order dated 01.07.2024 is to the extent of the appellant-insurance company only.

(PRAFULLA S. KHUBALKAR, J.)