



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

Civil Application [CAF] No.3766 of 2025

in

First Appeal Stamp No.19289 of 2025

Cholamandalam General Insurance

vs.

Pratima Ravindra Shende and others

*Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.*

Court's or Judge's Orders

Mr. A.M. Kukday, Advocate for the Applicant/Appellant.

Mr. Lalit Limaye, Advocate for Non-Applicant/Respondent Nos.1 to 4.

CORAM : Y.G. KHOBRAGADE, J.

DATE : 23rd APRIL, 2026.

Heard the learned Counsel appearing for the applicant and the learned Counsel appearing for non-applicant Nos.1 to 4. Despite service, none appeared for non-applicant No.5-owner of the vehicle.

02. Perused the application as well as the submissions advanced on behalf of the learned Counsel for the applicant and non-applicant Nos.1 to 4. By the present application, the applicant-Insurance Company seeks condonation of delay of 75 days caused while lodging the appeal against the judgment and order dated 07/02/2025 passed in M.A.C.P. No.280/2020 by the learned Member, Motor Accident Claims Tribunal, Nagpur.

03. Considering the grounds and the explanation offered by the applicant, I am inclined to condone the delay of 75 days caused while lodging the appeal.

04. Accordingly, the civil application is allowed. The delay of 75 days caused while lodging the appeal is hereby condoned. The Office is directed to register the First Appeal.

First Appeal St. No.19289/2025:

Heard.

02. Issue notice to the respondents, returnable on 25th June, 2026.

03. Mr. Lalit Limaye, learned Counsel, waives service of notice on behalf of respondent Nos.1 to 4.

04. The appellant is permitted to serve respondent No.5 by Speed Post, in addition to the regular mode of service.

Civil Application [CAF] No.815/2026:

Heard the learned Counsel appearing for the applicants–respondent Nos.1 to 4 and the learned Counsel appearing for the non-applicant/appellant at length. None appeared for non-applicant/respondent No.5.

02. By the present application, the applicants–original claimants seek permission for withdrawal of the entire amount of compensation of Rs.1,46,78,781/- along with accrued interest thereon, as per the judgment and award dated 07/02/2025 passed in M.A.C.P. No.280/2020 by the learned Member, Motor Accident Claims Tribunal, Nagpur.

03. Considering the nature of the claim, as well as to meet the financial exigencies, it would be just and proper to permit the applicants to withdraw 50% of their respective shares of the compensation along with accrued interest thereon, upon furnishing an usual undertaking to the satisfaction of the Registrar (Judicial) of this Court.

04. Accordingly, the civil application stands disposed of.

JUDGE

**sandesh*