



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

FIRST APPEAL NO. 247 OF 2026

Reliance General Insurance Co. Ltd.

Vs.

Smt. Pratibha Arun Upase and others

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Shri V. D. Akhade, Advocate for appellant.

Shri P. M. Jain a/w. Shri S. Y. Dunedar, Advocate for respondent nos. 1 to 3.

Shri Y. R. Gyanchandani, Advocate for respondent no. 4.

CORAM :- Y. G. KHOBRAGADE, J.

DATED :- 04.05.2026

Heard the learned counsel appearing for the respective parties. Despite service, none appears for respondent no.5.

2. By the present appeal filed under Section 173 of the Motor Vehicles Act, 1988, the appellant-Insurance Company is challenging the judgment and award dated 15.03.2024 passed in MACP No. 56/2017 by learned Member, Motor Accident Claims Tribunal, Chandrapur.

3. **Admit.**

4. Call record and proceedings.

5. Shri P. M. Jain, learned counsel waives service for respondent nos. 1 to 3 and Shri Y. R.

Gyanchandani, learned counsel waives service for respondent no. 4.

6. The appellant to file private paper-book within a period of 12 weeks from today.

CIVIL APPLICATION (CAF) NO. 2469/2025

7. Heard the learned counsel for the respective parties at length.

8. Despite service, none appears for respondent no. 5.

9. By the present application, the appellant-Insurance Company seeks stay to the effect, operation and execution of the judgment and award dated 15.03.2024 passed in MACP No. 56/2017 by learned Member, Motor Accident Claims Tribunal, Chandrapur thereby directing the present appellant- Insurance Company to pay the compensation of Rs.10,57,000/- with interest @9% p.a. within a period of three months therefrom and the appellant/original respondent no. 1 shall recover the said amount from respondent no. 4/original non-applicant no. 2.

10. The learned counsel appearing for the appellant- Insurance Company submits that vide pursis (st) no. 2/2025, dated 08.08.2025, the appellant-Insurance Company had already deposited an amount of Rs.16,73,213/- including the interest before this Court.

11. In view of the above, the effect, operation and execution of the impugned judgment and award is hereby stayed.

12. The application is disposed of accordingly.

CIVIL APPLICATION (CAF) NO. 829/2026

13. Heard.

14. By the present application, the respondent nos. 1 to 3/original claimants in MACP No. 56/2017 seek leave to withdraw the entire compensation amount deposited by the appellant- Insurance Company before this Court on 08.08.2025.

15. Considering the nature of the claim as well as the financial need of the present respondent nos. 1 to 3/original claimants, they are permitted to withdraw 75% of the compensation amount as per their respective shares along with accrued interest on furnishing surety to the satisfaction of learned Registrar (Judicial) of this Court.

16. The application stands disposed of.

(Y. G. KHOBRAGADE, J.)