

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

First Appeal No. 36 of 2007

(**The Oriental Insurance Co. Nagpur .vs. K. V. Dhale and ors.**)

 Office Notes, Office Memoranda of Coram,
 appearances, Court's orders or directions Court's or Judge's orders.
 and Registrar's orders
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CORAM : A.P. LAVANDE & P.D. KODE, JJ.
DATED : MARCH 31, 2009

CIVIL APPLICATION NO. 7095 OF 2006

Heard Mrs. Mrunal Naik, learned counsel for the appellant and Mr. R.S. Charpe, learned counsel for respondent no.1. None present for respondents no.2 and 3 though served.

This is an applicant for stay of the Award passed by the Claims Tribunal, Washim, pending hearing and final disposal of the appeal. The execution of the impugned Award is stayed subject to the appellant depositing the entire amount awarded as against the appellant, less the amount , if any, paid under Section 140 of the Motor Vehicle Act as well as statutory deposit under the Act within a period of four weeks. Amount, if any, already deposited shall be also adjusted against.

Application stands disposed of.

CIVIL APPLICATION NO. 686 OF 2009

Heard Mrs. Mrunal Naik, learned counsel for the appellant and Mr. R.S. Charpe, learned counsel for respondent no.1. None present for respondents no.2 and 3 though served.

Respondent no.1 who was injured in the accident, seeks withdrawal of Rs.1,25,000/- deposited by the appellant. The learned counsel for the appellant states that the appellant is not disputing their liability to the extent of Rs.1,25,000/-. This being the position, we permit respondent no.1 to withdraw an amount of Rs.1,25,000/- deposited by the appellant with interest accrued if any.

Application stands disposed of.

CIVIL APPLICATION NO. 774 OF 2009

Heard Mrs. Mrunal Naik, learned counsel for the appellant and Mr. R.S. Charpe, learned counsel for respondent no.1. None present for respondents no.2 and 3 though served.

In view of the order passed today, Civil Application No. 774 of 2009 has become infructuous and is disposed of accordingly.

JUDGE

JUDGE