

JVS.

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION**

**FIRST APPEAL (ST) NO. 22664 OF 2021  
WITH  
INTERIM APPLICATION NO. 1259 OF 2022  
AND  
INTERIM APPLICATION NO. 1261 OF 2022**

New India Assurance Co. Ltd.	}	Appellant
Versus		
Priyadarshini Sanjay Radkar & Ors.	}	Respondents

Mr. Asim S. Vidyarthi with Ms. Ishita Bhole,  
Adv.Kissen Biswal and Mr. Shasvat Vidyarthi,  
Advocates for the Appellant.

Mr. Satish S. Raut, Advocate for the Respondents.

**CORAM: SHREE CHANDRASHEKHAR, C.J. &  
GAUTAM A. ANKHAD, J.**

**DATE: 12<sup>th</sup> FEBRUARY 2026**

**P.C.:**

Interim Application No. 1259 of 2022:-

This interim application for condonation of delay in filing the First Appeal is contested by Mr. Satish S. Raut, the learned counsel for the respondents. It is stated that delay in filing this First Appeal has not been properly explained except taking the plea of COVID-19 Pandemic. The learned counsel for the respondents further submits that the Courts and the Registry attached to the Courts were functioning even during the COVID-19 times and there is no explanation offered by the applicant-Insurance Company on this aspect.

2. However, having regard to the short point involved in this First Appeal, Interim Application No. 1259 of 2022 is allowed in terms of prayer clause (a).

First Appeal (St.) No. 22664 of 2021:-

3. Having considered the grounds of appeal and after hearing Mr. Asim S. Vidyarthi, the learned counsel for the appellant-Insurance Company, we hereby permit the respondents to withdraw 50% of the amount deposited by the Insurance Company. That can be done by any one of the respondents duly authorised by the other respondents.

4. Lower Court's records be called for.

5. Post the matter on 26<sup>th</sup> March 2026.

**[GAUTAM A. ANKHAD, J.]**

**[CHIEF JUSTICE]**