



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

**CIVIL APPLICATION (CAF) NO. 975 OF 2026
IN**

FIRST APPEAL (ST) NO. 2102 OF 2026

Reliance General Insurance Co. Ltd.

Vs.

Kavita Pravin Shambharkar 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 Vedant Akhade, Advocate for appellant.
Shri Kunal P. Mirache, Advocate for respondent nos. 1 to 4.

CORAM :- Y. G. KHOBRAGADE, J.

DATED :- 06.05.2026

Heard the learned counsel appearing for the respective parties.

2. The learned counsel appearing for the appellant made a statement that respondent no. 5 has been served by private mode and undertakes to file service affidavit within a period of four weeks from today.

3. This is an application for seeking condonation of delay of 26 days caused while lodging the appeal against the judgment and award dated 13.08.2025 passed in MACP No. 766/2021 by the Member, Motor Accident Claims Tribunal, Nagpur.

4. Considering the grounds set out in the application as well as the objection raised by the learned

counsel appearing for respondent nos. 1 to 4, I am of the view that the appellant has bonafidely and sufficiently explained the delay of 26 days caused while lodging the appeal therefore, the application is allowed and the delay is hereby condoned.

5. The office to register the First Appeal and place before the Court on 17.06.2026 for further consideration.

CIVIL APPLICATION (CAF) NO. 976/2026

6. In pursuance of the order dated 13.02.2026 passed in Civil Application No. 976/2026, the appellant-insurance company has deposited the entire amount of compensation. Therefore, the stay granted shall remain in operation during the pendency of the appeal.

7. The application stands disposed of.

CIVIL APPLICATION (CAF) NO. 2173/2026

8. This is an application on behalf of respondent nos. 1 to 4/original claimants seeking permission to withdraw the entire amount of compensation granted vide judgment and award dated 13.08.2025 passed in MACP No. 766/2021 by the Member, Motor Accident Claims Tribunal, Nagpur.

9. The learned counsel appearing for the appellant strongly opposed the application on the ground that it will not be possible to recover the said amount in case the impugned award is modified or reversed.

10. However, considering the nature of claim and to meet the financial need, respondent nos. 1 to 4 are permitted to withdraw 50% of their share in the compensation amount on furnishing usual undertaking and 25% of their share in the compensation amount on furnishing surety along with accrued interest to the satisfaction of the Registrar(Judicial) of the Court.

11. The application stands disposed of.

(Y. G. KHOBRAGADE, J.)