

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO.4784 OF 2015
IN
FIRST APPEAL (ST.) NO.28348 OF 2014
WITH
CIVIL APPLICATION NO.4783 OF 2015
IN
FIRST APPEAL (ST.) NO.28351 OF 2014
WITH
CIVIL APPLICATION NO.4782 OF 2015
IN
FIRST APPEAL (ST.) NO.28345 OF 2014

Bhavarlal Pusaramji Jatt & ors. ..APPLICANTS

VERSUS

National Insurance Co. Ltd.,
through its Divisional Manager,
Aurangabad & ors. ..RESPONDENTS

Mr Atul B. Gatne, Advocate for applicant;
Mr S.P. Brahme, Advocate for respondents no.1 to 3;
Mr P.R. Katneshwarkar, Advocate for respondent no.5

CORAM : N.W. SAMBRE, J.

DATE : 5th May, 2015

ORAL ORDER :

Mr Gatne, learned Counsel appearing on behalf of respondent no.1 has strenuously urged that the compensation as is ordered by the Tribunal is without any basis as the income and the future loss is taken into account by the Tribunal. According to him, the award granting compensation is not sustainable on merits and as such prayed for rejection of the application.

2. However, in the facts and circumstances of the present case and in the interest of justice, it will be appropriate to permit the applicants to withdraw 50% of the amount deposited, subject to applicants furnishing an undertaking to this Court that in case appeals are allowed, they shall redeposit the said amount in this Court along with simple interest @ 9% p.a.

3. Civil Applications stand disposed of accordingly with no order as to costs.

(N.W. SAMBRE, J.)

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