

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

929 CIVIL APPLICATION NO. 7662 OF 2015
IN FA/783/2015

SUSHMA HARI @ HARISCHANDRA KOPARKAR AND OTHERS
VERSUS
CHOTU RAM RAM PRATAP AND OTHERS

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Advocate for Applicants : Mr. Salgare Sachin J.
Advocate for Respondent No.2 : Mr. Sharad V Natu
Advocate for Respondent No.4: Mr. Upadhye V N
Advocate for respondent No.4: Mr. H Apatankar
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CORAM : R. M. BORDE & P.R. BORA, JJ.
Dated: July 17, 2015
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PER COURT :-

1 By this application, applicants are seeking withdrawal of amount of RS.45,78,774/- deposited by the Insurance Company in this Court.

2 Considering the contentions raised by the applicants and after hearing the respondents, we deem it proper to permit the applicant No.1 to withdraw a sum of Rs.10 lacs whereas the applicant Nos.4 & 5 shall be permitted to withdraw Rs.2.5 lacs each out of the amount deposited by the Insurance Company. The amount shall be permitted to be withdrawn on condition of tendering an undertaking to the Court that, in the event of success of appeal, the applicants shall redeposit the amount within a period 12 weeks from the date of such decision. The balance amount shall be invested in the Nationalized bank for a period of 3 years initially and the fixed deposit receipts shall be renewed thereafter for a period until disposal of the appeal. The applicant No.1 shall be permitted to withdraw the interest accruing on FDR every quarter without any precondition.

3 Civil application stands disposed of.

(P.R. BORA, J.)

(R. M. BORDE, J.)

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