

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE CIVIL JURISDICTION
CIVIL APPLICATION NO.1743 OF 2015
IN
FIRST APPEAL NO. 595 OF 2009

Sangita Balu Sutar & Ors. ... Applicants

IN THE MATTER BETWEEN

The New India Ins. Co. Ltd. & Anr. ... Appellants.

Vs.

Sangita Balu Sutar & Ors. ... Respondents

Mr.Chetan S. Damre i/b Mr.S.K.Shinde for Applicant/Original Respondent
Nos.1 to 4.

Mr.Ramesh K. Cheulkar for the Respondents/Original Appellant.

CORAM : MRS.MRIDULA BHATKAR, J.
DATE : NOVEMBER 20, 2015.

P.C.

. Heard Mr.Damre, learned Counsel for the Applicants and
Mr.Cheulkar, learned Counsel for the Respondents.

2. This application is moved for withdrawal of the amount
which was deposited by the Insurance Company. Already Rs.30,000/-
was allowed to be withdrawn. The amount of compensation is of
Rs.4,20,000/- with interest. It is submitted that the amount of
Rs.5,64,582/- was deposited by the Appellant Insurance Company on
19th January, 2010 alongwith interest. Out of that 30,000/- is withdrawn.

3. The challenge in the Appeal is in respect of the genuineness of the cover note. The learned Counsel for the Applicants submits that the Applicants are poor and facing financial problems.

4. In view of this submissions, Applicant No.1 Sangita (widow of the deceased) and Applicant No.4 Dashrath (father of the deceased) are allowed to withdraw the amount of Rs.75,000/- each after giving undertaking to the satisfaction of the Court.

5. Civil Application disposed of.

(MRS.MRIDULA BHATKAR, J.)