

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

**CIVIL APPLICATION (CAF) NO. 926 OF 2013 & 988 OF 2015**  
**IN**  
**FIRST APPEAL NO. 250 OF 2013**

National Insurance Co. Nagpur Vs. Rashmi Kundankumar Aswani & Ors.

.....  
Office Notes, Office Memoranda of Coram,  
appearances, Court orders or directions  
and Registrar's orders  
.....

Court's or Judge's Order

Shri S. Borkar Adv for appellant.  
Shri R.R. Shrivastava Adv for non applicant/State.

**CORAM: A.S.CHANDURKAR J.**

**DATED: 27<sup>th</sup> APRIL, 2015.**

As the appellant has deposited entire amount of compensation ad interim stay granted on 17.04.2013 shall operate as interim stay. Civil application disposed of.

**Civil Application No. 988 of 2015:** Prayer is to permit the claimants to withdraw amount of compensation deposited by the appellant. The reason for withdrawal is mentioned in paras 3 and 4 of the application.

Application is opposed by learned counsel for the appellant on the ground that enhancement has been awarded at higher quantum.

Considering the reasons assigned in the application and the nature of evidence on record following order is passed:

The claimants are permitted to withdraw 50% of the amount of compensation on furnishing usual undertaking with the Registrar (Judicial).

25% of the amount is permitted to be withdrawn subject to furnishing solvent surety to the satisfaction of the Registrar (Judicial), remaining amount shall stand invested in fixed deposit. Civil application is allowed and disposed of.

**JUDGE**

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