

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

**FIRST APPEAL NO.688/2014**

**National Insurance Company Limited, Bhandara**  
**...Versus...**  
**Shoba Namdeorao Dhandekar alias Dhande and others**

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

Shri A.W. Paunikar, Advocate for appellant  
Shri K.S. Motwani, Advocate for respondent no.1

**CORAM : Z.A. HAQ, J.**  
**DATE : 16.02.2015**

Heard the learned Advocates for the respective parties.

**ADMIT.**

Advocate Shri K.S. Motwani waives notice on behalf of the respondent no.1.

The appellant shall file private paper-book within six months.

**CIVIL APPLICATION F. NO.1571/2014**

As per the impugned award, the appellant and the respondent nos.2 and 3 were required to deposit the amount of compensation within 45 days from 1.8.2013 i.e. the date of the impugned award. The appellant has deposited Rs.4,46,937/- with the Registry of this Court on 8.7.2014.

The learned Advocate for the appellant-Insurance Company submits that the amount of compensation along with interest calculated at 6% per annum is deposited. As per the impugned award, the amount of compensation was required to be deposited within 45 days, failing which the amount of compensation carried interest at 9% per annum.

The appellant-Insurance Company undertakes to deposit the balance amount of compensation calculating the interest on the amount of compensation at 9% per annum. The balance amount shall be deposited till 10.04.2015, failing which the interim order granted by this Court shall stand vacated without reference to the Court.

Considering the defence raised by the appellant-Insurance Company and the facts of the case, the respondent no. 1- claimant is permitted to withdraw Rs.3,00,000/- (Rupees Three Lacs Only) from the amount deposited by the appellant-Insurance Company. The balance amount shall be invested in fixed deposit in the Nationalized Bank initially for a period of three years and to be renewed every year till the decision of the appeal.

The civil application is disposed of in the above terms.

**JUDGE**

Wadkar