

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CIVIL APPLICATION NO.815 OF 2015
IN
FIRST APPEAL NO.576 OF 2014

Rajkumar S/o Jankiram Agrawal (Goyal)

-vs-

Anita wd/o Rajendra Wankhede & Ors.

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

Court's or Judge's Orders.

Shri J. M. Ghandhi, Advocate for the appellant.
Shri N. G. Solao, Advocate for respondent Nos.1 to 5.

CORAM : A.S.CHANDURKAR, J.

DATE : APRIL 29, 2015

Prayer is to permit the claimants to withdraw the amount of compensation deposited by the present appellant. It is stated that the proceedings were filed under Section 163 A of the Motor Vehicles Act, 1988.

The application is opposed by counsel for the appellant on the ground that the proceedings as filed were not tenable against the appellant.

Considering the nature of evidence available on record, the claimants are permitted to withdraw sum of Rs.1,00,000/- subject to furnishing undertaking that in case the appeal is allowed, aforesaid amount shall be repaid with interest at such rate the Court may direct.

Civil Application is disposed of.

JUDGE