

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

CIVIL APPLICATION (CAF) NO. 847 OF 2015
IN
FIRST APPEAL NO. 951 OF 2014

New India Assurance Co. Akola Vs. Abdul Raheman Abdul Gaffar & Ors.

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

Court's or Judge's Order

Shri Ashish Paunikar Adv for appellant.
Shri A. B. Mirza Adv for respondent no.1.

CORAM: A. S. CHANDURKAR J.

DATED: 22 APRIL, 2015.

Prayer is to permit respondent no.1-claimant to withdraw amount of compensation deposited by the appellant. It is stated that due to the accident in question the respondent no.1 suffered disability and is therefore facing financial difficulties.

Application is opposed by learned counsel for the appellant on the ground that respondent no.1 has already received various amounts and that the disability has not affected the duties of the respondent no.1.

Considering the nature of evidence available on record respondent no.1 is permitted to withdraw sum of Rs. 1,50,000/- subject to furnishing undertaking that in case the appeal is allowed the said amount shall be repaid with interest at such rate the Court may direct. Civil application is allowed and disposed of.

JUDGE

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