

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

CIVIL APPLICATION (CAF) NO.946 OF 2015

IN

FIRST APPEAL NO.972 OF 2012

**The Oriental Insurance Co. Ltd., Yavatmal Branch, thr the Regional Manager,
Nagpur**

..vs..

Mrs. Mansi w/o Ajhay Mohkar

.....

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

 Court's or Judge's Order

Shri Bharat Vora, counsel for applicant / R-1.
**Shri D.N. Kukday, counsel for the non-applicant/
 appellant.**

CORAM : A. S. CHANDURKAR, J.
DATED : APRIL 20, 2015

Heard.

Prayer is to permit applicant / respondent No.1 to withdraw the amount of compensation deposited by the non-applicant / appellant – Insurance Company.

The civil application is opposed on behalf of the non-applicant / appellant on the ground that applicant / respondent No.1 was not dependent on the deceased and hence, the award of maintenance in her favour cannot be sustained.

Considering the nature of evidence on record, applicant / respondent No.1 is permitted withdraw amount of Rs.,1,00,000/- (Rupees One Lac Only) subject to her furnishing an undertaking that in case the appeal is allowed,

the aforesaid amount shall be re-paid with interest accrued thereupon at such a rate the Court may then direct.

The civil application is allowed and disposed of accordingly.

JUDGE

!! BRW !!