

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

CROSS OBJECTION NO. 15 OF 2015
AND
CIVIL APPLICATION (CAF) NO. 1065 OF 2015
IN
FIRST APPEAL NO. 692 OF 2013

ICICI Lombard Motor Insurance Nagpur Vs. Geeta wd/o Nitesh @ Nitin Wankhede & 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 R. D. Bhuibhar Adv for appellant.
Shri S. R. Charpe Adv for respondent nos. 1 to 3.

CORAM: A.S.CHANDURKAR J.

DATED: 27th APRIL, 2015.

Heard. **Admit.**

Shri R. D. Bhuibhar, learned counsel waives notice on behalf of
original appellant.

Civil Application no. 1065 of 2015: Prayer is to permit the claimants to
withdraw amount of compensation deposited by the appellant. It is stated that
on 07.07.2014 the claimants were permitted to withdraw an amount of Rs.
2,00,000/-. However, on account of liabilities incurred the claimants are
seeking permission to further withdraw an amount of compensation.

The application is opposed by learned counsel for the appellant on
the ground that permission was initially granted to the claimants and hence no
further directions are required.

Considering the reasons assigned in the application the claimants are permitted to withdraw an amount of Rs. 1,50,000/- subject to furnishing undertaking that in case the appeal is allowed said amount shall be repaid with interest at such rate the Court may direct. Civil application disposed of.

First Appeal No. 692 of 2013: Learned counsel for the appellant states that an amount of Rs. 5,80,000/- has been deposited in this Court vide cheque dated 16.08.2013. He submitted that said figure has been inadvertently mentioned as Rs. 7,80,000/- in the order dated 05.01.2015. As the appellant has deposited Rs. 5,80,000/- in this Court the order dated 05.01.2015 stands clarified to read that the appellant has deposited sum of Rs. 5,80,000/- only.

JUDGE

svk