

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

**CIVIL APPLICATION (CAF) NOS. 3352 & 3485 OF 2014**  
**IN**  
**FIRST APPEAL NO. 64 OF 2012**

Divisional Manager New India Assurance Vs. Dhrupadi wd/o Vinod Shrivastava & Ors.

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

Court's or Judge's Order

Shri A. J. Pophaly Adv for appellant.  
Ms. Pathade Adv for respondent nos. 1 to 3.  
Shri A. D. Ramteke Adv for respondent no. 5.

**CORAM: A. S. CHANDURKAR J.**

**DATED: 08 APRIL, 2015.**

Present application is moved by respondent nos. 1 to 3 seeking permission to withdraw 50% of the decretal amount that has been deposited by the appellant. It is submitted that by order dated 16.01.2012 the respondent no.5-mother of the deceased was permitted to withdraw amount of Rs. 50,000/-. Application is opposed by learned counsel for the appellant and it is submitted that interest of the appellant be duly protected in case permission is granted. Considering the reasons mentioned in the application the respondent nos. 1 to 3 are permitted to withdraw sum of Rs. 3,00,000/- subject to furnishing undertaking that in case the appeal is allowed entire amount withdrawn would be repaid with interest at such rate the Court may direct. Civil Application is

disposed of.

**Civil Application No. 3485 of 2014:** Stand over after vacation.

**JUDGE**

svk