

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

FIRST APPEAL NO.1347 OF 2013

(The Oriental Insurance Co. Ltd., through its Manager, Nagpur ..vs.. Sardar s/o Panchanama Lilhare
and others)

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

Court's or Judge's orders

Shri A.M. Quazi, Advocate for the appellant,
Shri V.R. Thote, Advocate for the respondent No.1.

CORAM : Z.A. HAQ, J.

DATED : 07-1-2015

Heard Shri A.M. Quazi, the learned Advocate for the appellant and Shri V.R. Thote, the learned Advocate for the respondent No.1.

None appears for the other respondents.

Admit.

Shri V.R. Thote, the learned Advocate, waives service of notice on behalf of the respondent No.1.

Civil Application (CAF) No.3299 of 2014.

This is an application filed by the claimant seeking permission to withdraw the amount deposited by the appellant. Considering the facts of the case, the respondent No.1-claimant is permitted to withdraw the amount of Rs.2,50,000/- out of the amount deposited by the appellant with the Registry of this Court. The balance amount be invested in fixed deposit in a Nationalised Bank initially for a period of three years and

it shall be renewed every year till the decision of the appeal.

The claimant shall not execute the impugned Award against the appellant. However, the claimant is at liberty to execute the Award against the respondent Nos. 2 to 4, if so advised, to recover the balance amount as per the Award.

The civil application is disposed in the above terms.

JUDGE

pma