

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

CIVIL APPLICATION (CAF) NO. 3541 OF 2014
IN
FIRST APPEAL NO. 25 OF 2009
Oriental Insurance Co. Ltd. Vs. Rinkubai Pochanna Madavi & 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 S. Bharde Adv for applicants.
Shri P. P. Pendke Adv for respondents.

CORAM: A. S. CHANDURKAR J.

DATED: MARCH 25, 2015.

By this application the claimants seek permission to withdraw the amount of Rs. 4,00,000/- as awarded by the Claims Tribunal while deciding proceedings under Section 166 of the Motor Vehicles Act, 1988. It is stated that the amounts are required for education of respondent nos. 2 to 5.

The application is opposed on behalf of learned counsel for the appellant on the ground that if the amounts are disbursed it would not be possible to recover the same.

Considering the findings as recorded by the Claims

Tribunal, for the present the respondents are permitted to withdraw 50% of the amount deposited by the appellant in this Court, subject to furnishing solvent surety to the satisfaction of the Registrar (Judicial). Civil application is allowed in aforesaid terms and disposed of.

JUDGE

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