

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

941 CA/13929/2016 IN FA/3058/2016
WITH CA/11112/2016 IN FA/3058/2016

MEENA BRIJ KISHOR SINGH AND ORS
VERSUS
MEENA BRIJ KISHOR SINGH AND ORS THE NEW INDIA
ASSURANCE CO. LTD.

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Advocate for Applicants: Mr. PC Mayure
Mr. DP Deshpande, Deshpande, Adv. For Resp.No.1.

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CORAM : P.R. BORA, J.
Dated: October 20, 2016

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PER COURT :-

1) Shri Mayure, learned Counsel, undertakes to file Vakalatnama on behalf of all the claimants. Service complete.

2) Heard learned Counsel for the applicants and learned Counsel for insurance company.

3) Considering the contentions raised in the application for withdrawal of amount and the objections raised by the Insurance Company in the memo of appeal in exception to the Award, I deem it appropriate to pass the following order, -

ORDER

i) The applicants are permitted to withdraw 50% of the amount deposited by the insurance company in this court on submitting an undertaking that in the event any adverse order is passed against them

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in the appeal, they will re-deposit the amount within four months of passing such order;

ii) Balance amount be invested in a Fixed Deposit Receipts in any Nationalized Bank, initially for a period of three years and to be renewed if so required till disposal of the appeal.

iii) The Civil Application for withdrawal of the amount is disposed of.

4) Place the matter for admission on 1st December, 2016.

(P.R. BORA, J.)

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