

IN THE HIGH COURT OF BOMBAY AT GOA

MISC.CIVIL APPLICATION NO. 910 OF 2015

IN

FIRST APPEAL NO. 114 OF 2015

MR.KEVIN FERNANDES AND 3 ORS.,

... Applicants

Versus

MR.SHAIKH MOHAMMAD SADIQ AND 2
ORS.,

... Respondents

Mr. Emerico Estevam Afonso, Advocate for the applicants.
None present for the respondents.

Coram:- K. L. WADANE, J.

Date:- 4th March, 2016

P.C.

Heard Mr. E. Afonso, learned Counsel appearing for the applicants.

2. The present application is filed by the applicant for withdrawal of the amount of compensation which the respondent no.2 and 3/original appellants had deposited before the Motor Accident Claims Tribunal, Panaji.

3. After filing the application for withdrawal of the amount, the learned Counsel appearing for the respondent nos. 2 and 3 was absent on 20.1.2016, therefore, opportunity was given to the respondent nos.2 and 3 and matter was posted on 26.2.2016.

4. On the said date also, Mr. Kurtikar, learned Counsel appearing for the respondent no.3 was absent. Again time was granted.

5. Today also, Mr. Kurtikar, learned Advocate is not present.
6. Therefore, for the reasons stated in the application, the applicant is permitted to withdraw the amount which the respondent nos. 2 and 3 had deposited before the Motor Accident Claims Tribunal on a condition that the applicant shall furnish undertaking that in case the findings are reverse, the applicant shall re-deposit the amount before this Court.
7. Interim stay to the execution proceedings, if any, shall stand vacated.
8. Application stands disposed of.
9. Authenticated copy of this order be expedited.

K. L. WADANE, J.