

FARAD CONTINUATION SHEET
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.282/2016
IN
FIRST APPEAL NO. 130/2016

Office Notes, Office Memoranda of Coram, Appearances, court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr. A. J. Gandwal i/b. S. S. Dwivedi for the applicant
Mr. P. S. Gole for the Respondent

CORAM : K. K. TATED, J.
DATE : FEBRUARY 5, 2016

P.C.:

1. Heard. This application is made by the claimant for withdrawal of the amount deposited by the Appellant Insurance Company.

2. The learned counsel for the Insurance Company submits that they have no objection if the claimants withdraw 50% of the awarded amount without furnishing any security, subject to outcome of the appeal.

3. Considering the submissions made by the learned counsel for the applicant and the averments made in the civil application, I am of the

opinion that the applicant has made out a case for allowing the civil application.

4. Hence, following order is passed:

a. The applicants are entitled to withdraw the awarded amount, as under, without furnishing any security, subject to outcome of the appeal.

i. Smt. Suman Vasant Babar – 17.5%

ii. Sameer Vasant Babar – 15%

b. The Tribunal is directed to invest the remaining amount in a fixed deposit account of any Nationalized Bank, initially for a period of one year and same shall be renewed from time to time till hearing and final disposal of the appeal.

c. Statutory deposit, if any made by the applicant Insurance Company at the time of filing the appeal, be transferred to the Tribunal.

d. Civil application stands disposed off accordingly.

JUDGE