

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

Amk

CIVIL APPLICATION NO. 3621 OF 2016
IN
FIRST APPEAL NO. 1410 OF 2006

Mrs. Dilshad Begum Amir Shaikh & Ors. .. Applicants

In the matter between

National Insurance Co. Ltd. & Anr. .. Appellants.

Vs.

Mrs. Dilshad Begum Amir Shaikh & Ors. .. Respondents

Ms. Nasreen Sajid Khalique Ayubi for the Applicants.

Mr. Bhavesh Magan h/f. Mr. Sandesh Deshpande for Appellants.

CORAM : DR. SHALINI PHANSALKAR-JOSHI, J.

DATE : 19th SEPTEMBER, 2016.

P. C. :

1. This application is preferred by the original claimants seeking withdrawal of the compensation amount as deposited with the Tribunal. It is submitted that the applicants are legal heirs of the deceased. The deceased was the only earning member of the family. On his death, the applicants are having no source of income.

2. Learned counsel for the respondents takes objection to the withdrawal of the amount of compensation on the reasons mentioned in the appeal memo.

3. In view thereof, the application is allowed partly. The applicants are permitted to withdraw 50% of the amount of compensation deposited in this Court on furnishing usual undertaking but without security.

4. The Civil Application is disposed of accordingly.

[DR. SHALINI PHANSALKAR-JOSHI, J.]