

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.3416 OF 2016
IN
FIRST APPEAL (STAMP) NO.13290 OF 2016

Jogilal Monhar Bind & Ors.	 Applicants
<i>In the matter between</i>	
National Insurance Co. Ltd., Mumbai.	 Respondent/Appellant
<i>V/s.</i>	
Jogilal Monhar Bind & Ors.	 Respondents

Ms. Varsha Chavan for the Applicants-Original Respondents.

Mr. S.S. Dwivedi, i/by Ms. Harshada M. Rane, for the Respondent-Original Appellant.

CORAM : DR. SHALINI PHANSALKAR-JOSHI, J.

DATE : 25TH AUGUST 2016.

P.C. :

1. Heard learned counsel for the parties.
2. This is an application preferred by the original claimants seeking withdrawal of the compensation amount, as deposited by the respondent-Insurance Company in the Tribunal.
3. It is submitted that the applicants, who were depending on the Deceased, need some amount for their maintenance, as the Deceased was the only bread-winner in the family. The application is made for withdrawal of the entire decretal amount. However, considering that, the respondent-Insurance Company has admitted its liability to the extent of

60% of the compensation amount, the applicants are permitted to withdraw 60% of the amount deposited in the Tribunal, without furnishing any security, but subject to furnishing usual undertaking.

4. Civil Application stands disposed of accordingly.

[DR. SHALINI PHANSALKAR-JOSHI, J.]