

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
APPELLATE SIDE
NAGPUR BENCH, NAGPUR

CIVIL APPLICATION (CAF) NO. 579 OF 2016

IN

FIRST APPEAL NO. 971 OF 2015

National Insurance Co. Ltd. Vs. Rashid Khan & Ors.

.....
Office Notes, Office Memoranda of Coram,
appearances, Court orders or directions
and Registrar's orders

Court's or Judge's Order

.....

Ms. Gauri Venkatraman Adv for applicant.
Shri Asghar Hussain Adv for respondents 1 & 2.

CORAM: A.S.CHANDURKAR J.

DATED: 06th APRIL, 2016.

Prayer is to permit the claimants to withdraw the amount of compensation deposited by the appellant. It is submitted that the deceased was a third party and the compensation awarded is after deducting 10% amount towards contributory negligence.

The application is opposed by the learned counsel for the appellant on the ground that the amount of compensation awarded is on higher side.

Perused the judgment of the Claims Tribunal. The claimants are permitted to withdraw 50% of the amount deposited subject to filing undertaking that in case the appeal is allowed the said amount shall be repaid with interest at such rate the Court may direct. Balance amount be invested in fixed deposit. Civil application is allowed and disposed of.

JUDGE

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