

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

Civil Application [CAF] No.1115 of 2016

in

First Appeal No.416 of 2014

(HDFC Ergo General Insurance Co. Ltd.

vs.

Smt. Maltabai wd/o Suresh Meshram and others)

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

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Court's or Judge's Orders

Shri Mahesh Rai, Advocate for Applicants/R-1 to 3.

Shri A.J. Pophaly, Advocate for the Non-Applicant/Appellant.

CORAM : PRASANNA B. VARALE, J.

DATE : 22nd JUNE, 2016.

Heard Shri Rai, the learned Counsel for the applicants/respondent Nos.1 to 3 and Shri Pophaly, the learned Counsel for the non-applicant/appellant.

By the present application, the applicants/respondent Nos.1 to 3 seek to withdraw the amount deposited by the appellant in this Court. It is submitted that the deceased i.e. victim of the accident, was the only earning member of the family. It is further submitted that respondent Nos.2 and 3 i.e. son and daughter of respondent No.1 are prosecuting their studies and they need financial assistance for the admission and fees etc. It is further submitted that as the course would start in near future, the applicants are in dire need of financial assistance.

The learned Counsel for the appellant opposes the application.

Considering the grounds raised in the application, in my opinion, the ends of justice would be met by permitting the applicants/respondent Nos.1 to 3 to withdraw an amount of Rs.1,00,000/- out of the amount deposited by the appellant in this Court subject to furnishing usual undertaking to this Court.

JUDGE

**sdw*