

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

CIVIL APPLICATION NO.1601 OF 2016
IN
FIRST APPEAL NO.1116 OF 2015

Cholamandalam MS General Insurance Co. Ltd. Thr. Branch Manager, Bajaj Nagar, Nagpur.

-vs-

Sumitra wd/o Debu Vishwas and ors.

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

Court's or Judge's Orders.

Shri A. J. Pophly, Advocate for appellant.

Shri H. R. Dhumale, Advocate for respondents/applicants.

CORAM : A.S.CHANDURKAR, J.

DATE : May 03, 2016

Prayer is to permit the claimants to withdraw the amount of compensation deposited by the appellant. In the application it is stated that the claimant Nos.2 and 3 are taking education while claimant Nos.4 and 5 are the parents of the deceased.

The application is opposed by the learned counsel for the appellant on the ground that the compensation awarded is on a higher side. The income of Rs.20,000/- per month has been accepted without sufficient evidence.

Perused the judgment of the Claims Tribunal. The claimants are permitted to withdraw an amount of Rs.10,00,000/- 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.

The aforesaid amount shall be permitted to be withdrawn in the following manner :

The claimant nos.1 to 3 shall be entitled to receive

Rs.2,50,000/- each while claimant Nos.4 and 5 would be entitled to receive 1,25,000/- each.

Civil application is allowed and disposed of.

JUDGE