

IN THE HIGH COURT OF BOMBAY AT GOA

MISC.CIVIL APPLICATION NO. 613 OF 2017

IN

FIRST APPEAL NO. 27 OF 2017

MRS. MATILDA FERNANDES AND 5 ORS., ... Applicants

Versus

BAJAJ ALLIANZ GENERAL INSURANCE
CO. LTD., THROUGH ITS AUT.
SIGNATORY, MR. PRAVIN PRABHAKAR
PRABHU.,

... Respondent

Mr. Valmiki Menezes, Advocate for the Applicants.
Mr. U. Mangeshkar, Advocate holding for Mr. N. Govekar,
Advocate for the Respondent no.1.

Coram:- NUTAN D. SARDESSAI, J.

Date:- 28th September 2017

P.C.

Learned Advocate for the Respondent no.1 submits that he has no objection to the withdrawal of 50% of the deposited amount.

2. In view thereof the application is partly allowed to the extent the Applicants are directed to withdraw 50% of the amount. The Applicants shall give an undertaking before the Registrar(Judicial) that they shall indemnify the original Appellants in the event they succeed in the Appeal. The amount shall be drawn in the name of the Applicant no.1 in view of the

concurrence of the other Applicants and there is no conflict of interest between the Applicant no.1 and her children. This is without prejudice to the right of the Applicants to seek for further withdrawal if the eventuality so arises.

3. Application stands disposed off accordingly.

NUTAN D. SARDESSAI, J.

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