

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**FIRST APPEAL (ST.) NO. 29084 OF 2014
WITH
CIVIL APPLICATION NO. 2994 OF 2017
IN
FIRST APPEAL (ST.) NO. 29084 OF 2014**

Akhtari Begam Akil Ahmed Qureshi ...Applicant

IN THE MATTER BETWEEN

Oriental Insurance Co. Ltd. ...Appellant

Versus

Akhtari Begam Akil Ahmed Qureshi & Ors. ...Applicants

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Mr.Bhushan Walimbe i/b. Ms.Preeti Walimbe for the Applicants.
Mr.Devendranath S. Joshi for the Original Appellant.

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**CORAM: MRS.MRIDULA BHATKAR, J.
DATED: SEPTEMBER 26, 2017**

P.C. :

1. Upon urgent mentioning, taken on Production Board.
2. This Application is moved for withdrawal of an amount deposited by the insurance company/original appellant pursuant to the judgment and award dated 17.08.2013 passed by the Motor Accident Claims Tribunal, Mumbai, in M.A.C.P. No. 5 of 2010.

3. The learned counsel for the applicants submitted that the applicants are the mother-in-law and brothers of the deceased.
4. The learned counsel for the appellant/insurance company while opposing this application, has submitted that the insurance company has good ground of defence in the appeal.
5. In view of the above and the reasons mentioned in the application, the applicants are allowed to withdraw 50% of the amount deposited by the insurance company on an usual undertaking. The remaining amount is to be deposited in the fixed deposit in any nationalized bank.
6. Civil Application is allowed and is accordingly disposed of.

(MRIDULA BHATKAR, J.)