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

**CIVIL APPLICATION NO. 933 OF 2017
WITH
CIVIL APPLICATION NO.934 OF 2017
WITH
CIVIL APPLICATION NO. 2913 OF 2016
IN
FIRST APPEAL (ST) NO. 14832 OF 2016**

Smt.Ushakumari Brijkumar Yadav & Ors. ...Applicants
In the matter between
The New India Assurance Co.Ltd. ...Appellant.
VS
Smt.Ushakumari Brijkumar Yadav & Ors. ...Respondents.

.....
Mr Himanshu Takkar i/b M.V.More for the appellant.
Mr RameshChavanke a/w Mr S.S.Kothiyar for the applicants/
Respondent Nos.1 to 3.

.....
**CORAM : M. S. SONAK, J
APRIL 04, 2017**

P.C. :

1 **Admit.**

2 There shall be a restraint upon the execution of the
impugned award, as prayed in Civil Application No.2913 of 2016.
Now that the appellant has deposited entire awarded amount together
with interest and costs before the M.A.C.T.,Thane. From out of this
amount, the applicants/respondents shall be entitled to withdraw an
amount of Rs.8 Lacs upon furnishing an undertaking to this Court that

they shall bring back this amount in case directed by the appeal court at the time of final hearing of the appeal. Out of this amount of Rs.8 Lacs, a sum of Rs.1,00,000/- each to be paid to the parents of the deceased i.e. Respondent Nos.2 and 3. The balance amount to be paid to Respondent No.1 – widow. The balance amount is to be invested in a Nationalized Bank, initially, for a period of two years. The Civil Applications are disposed of accordingly.

3 Hearing of the appeal is expedited. The appellant to file private paper book within a period of two months from today.

(M. S. SONAK, J.)