

IN THE HIGH COURT OF JUDICATURE AT BOMBAY:
NAGPUR BENCH : NAGPUR
Civil Application No. 812 of 2017
IN
First Appeal No.140 of 2017
[The New India Assurance Co. Ltd. Vs. Smt. Anjali Ramchandra Moghe & others]

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

Court's or Judge's orders

Mr. P.R. Agrawal, Adv., for the applicants – respondent nos. 1 to 3.
Mr. Gautam Chatterjee, Adv., for the appellant.

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CORAM : A. S. CHANDURKAR, J.

DATE : 15th March, 2017

The claimants seek permission to withdraw the amount of compensation deposited by the appellant.

The prayer is opposed by the learned counsel for the appellant on the ground that the compensation awarded is on a higher side despite notional income of the deceased being taken into consideration.

Perused the impugned judgment. Considering the nature of evidence on record, for the present, the claimants are permitted to withdraw an amount of Rs.5,00,000-00 [rupees five lakhs only] subject to filing

an undertaking that in case the appeal is allowed, said amount shall be repaid with interest at such rate the Court may direct. The balance amount shall be deposited in a fixed deposit.

Civil Application is disposed of.

Judge

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