

IN THE HIGH COURT OF JUDICATURE AT BOMBAY:
NAGPUR BENCH : NAGPUR
Civil Application [CAF] No. 735 of 2017
IN
First Appeal No.13 of 2016
[The New India Assurance Co. Ltd. Vs. Smt. Vandana Sanjay
Mohitkar & 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 applicants – respondent nos. 1 to 5.
 Mr. Gautam Chatterjee, Adv., for the appellant.

CORAM : A. S. CHANDURKAR, J.

DATE : 24th February, 2017

By this application, the claimants seek permission to withdraw the amount of compensation deposited by the appellant.

The application is opposed by the learned counsel for the appellant on the ground that the Salary Certificate of the deceased was not duly proved and the income from agricultural land has not been accepted. It is submitted that the compensation has been awarded on a higher side.

Perused the judgment of the Claims Tribunal.

In the facts of the case, the claimants are

permitted to withdraw amount of Rs.7,50,000-00 [rupees seven lakhs fifty thousand only] on filing an undertaking that in case the appeal is allowed, the said amount shall be repaid with interest at such rate the Court may direct. Remaining amount shall be invested in a Fixed Deposit.

Civil Application is disposed of.

Judge

|hedau|