

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CIVIL APPLICATION (CAF) NO.3046 OF 2016
IN
FIRST APPEAL NO.901 OF 2016

I.C.I.C.I Lombard General Insurance Company Ltd. Thr. Its Divisional Manager, Amravati, Thr.
Its Legal Manager, Ashay Mahajan, Nagpur

-vs-

Nazir Beg Rasool Beg and ors.

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

Court's or Judge's Orders.

Shri R. D. Bhuibhar, Advocate for appellant/applicant.
Shri M. R. Johrapurkar, Advocate for respondent Nos.1 to
3.

CORAM : Dr S.S.Phansalkar-Joshi, J.
DATE : June 16, 2017

As the appellant has deposited the entire amount of compensation in this Court, the earlier order of stay granted is confirmed during pendency of the appeal.

Civil application is disposed of.

C.A.F. No.854 of 2017

Heard.

The claimants have sought permission to withdraw the amount of compensation deposited by the appellant. It is submitted that the amount is required for livelihood and maintenance of the claimants.

Learned counsel for the appellant has no objection to withdraw only 50% amount of compensation deposited on the ground that the appellant is having a strong case that the driver of the offending vehicle was not holding valid and effective driving licence.

Perused the impugned judgment. For the reasons

stated in the application, the claimants are permitted to withdraw 50% amount of compensation deposited by the appellant 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.

Civil application is allowed and disposed of.

F.A. No.901 of 2016

Heard.

Admit.

Shri M. R. Johrapurkar, learned counsel waives notice on behalf respondent Nos.1 to 3.

As the private paper-book is already filed, appeal be listed for final hearing as per its turn.

JUDGE