

IN THE HIGH COURT OF JUDICATURE AT BOMBAY:
NAGPUR BENCH : NAGPUR
Civil Application [CAO] No. 455 of 2016
IN
First Appeal No.314 of 2016
[National Insurance Company Ltd. Vs. Santoshi Rajesh Lata & ors.]

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

Court's or Judge's orders

Mr. K. S. Motwani, Adv., for applicants – respondent nos. 1 to 3.
 Mr. W.G. Paunikar, Adv., for appellant.

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CORAM : A. S. CHANDURKAR, J.

DATE : 10th January, 2017

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

Perused the impugned judgment. As per the finding recorded in para 11 of the said judgment, the Insurance Policy was valid when the accident took place. Prima facie, considering the aforesaid finding, I am inclined to allow the present application.

Respondent nos. 1,2 and 3 are permitted to withdraw total amount of Rs.3,00,000-00 [rupees three lakhs only]. Amount of Rs.1,00,000-00 [rupees one lakh only] shall be payable to each of the said respondents on filing an undertaking that in case the appeal is allowed, said amount shall be repaid with interest at

such rate the Court may direct. Rest of the amount shall be deposited in a fixed deposit.

Civil Application is allowed.

Judge

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