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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT NAGPUR**

**CIVIL APPLICATION NO. 1194 OF 2017
IN
FIRST APPEAL NO. 138 OF 2017**

The Branch Manager,
National Insurance Co.Ltd.,
Address : Regd. Off,3,Middleton
street,Post Box No.9229,Kolkata
70071, Through its Regional
office, Nagpur, Panchsheel
Square, Nagpur

..APPELLANT

VERSUS

Smt. Vaishali wd/o Vijaykumar
Dhepe, R/o.Vishwakarma Nagar,
Post Paravati Nagar, Nagpur
& ors

..RESPONDENTS

Mr A.M. Kukday, Advocate for appellant;
Mr H.D. Futane, Advocate for respondent Nos.1 to 3;
Mr K.N. Dadhe, Advocate for respondent Nos. 4,5,7 &
8

CORAM : N.W. SAMBRE, J.

DATE : 17th APRIL, 2017

ORAL ORDER :

Respondent Nos. 1 to 3 are already
permitted to withdraw the amount of Rs.3,00,000/-
each by this Court on 27th January, 2017 subject to
their furnishing an undertaking that in case the
appeal is allowed, the amount shall be repaid with

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interest at such rate as the Court may direct.

2. In view of the same, civil application stands allowed.

3. The claimants-respondent Nos. 4 and 5 are permitted to withdraw the amount of Rs.3,00,000/- (Rs. Three lacs only) each subject to their furnishing an undertaking that in case the appeal is allowed, the amount shall be repaid with interest at such rate as the Court may direct

4. Paper book be filed within a period of twelve weeks from today, failing which, the appeal shall stand dismissed without further reference to the Court.

(N.W. SAMBRE, J.)

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