

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

CIVIL APPLICATION (CAF) NO.1307 OF 2017
IN
FIRST APPEAL NO.238 OF 2017

The Bajaj Allianz General Insurance Company Ltd., Nagpur

-vs-

Mainabai wd/o Shyamrao Nehare and ors.

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

Court's or Judge's Orders.

Ms Mrunal Naik, Advocate for appellant.

Shri Asghar Hussain, Advocate for respondent Nos.1 and 2/applicants.

CORAM : A.S.CHANDURKAR, J.

DATE : May 02, 2017

The claimants seek permission to withdraw the amount of compensation.

It is submitted on behalf of the claimants that 50% amount of the compensation is sought to be withdrawn. It is urged that this amount be released only in favour of respondent No.1 who is the widow of the victim.

The application is opposed by the learned counsel for the appellant on the ground that the claimant No.2 is major son and he is not entitled for any compensation.

Perused the impugned judgment. Considering the nature of evidence on record, the claimant/respondent No.1 is permitted to withdraw 50% of the amount deposited by the appellant 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. Remaining amount shall be invested in Fixed Deposit.

Civil application is allowed and disposed of.