

IN THE HIGH COURT OF JUDICATURE AT BOMBAY:
NAGPUR BENCH : NAGPUR
Civil Application [CAF] No. 1950 of 2016
IN
First Appeal No. 55 of 2016
[The Chief Executive Officer, ZP, Yavatmal & another Vs. Smt. Madhuri Kishor Deshpande & 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 respondent nos. 1 to 3 - applicants.
Mr. M.I. Mourya, Adv., for the appellants.

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CORAM : A. S. CHANDURKAR, J.

DATE : 10th February, 2017

The claimants seek permission to withdraw the amount of compensation deposited by the appellants.

The application is opposed by the learned counsel for the appellants, on the ground that the respondent no.1 is already receiving the amount of pension. It is further submitted that the offending vehicle was not owned by the appellant no.1; but still the liability has been fastened on it.

Perused the impugned judgment. Considering the nature of evidence led by the parties, the claimants are permitted to withdraw an amount of Rs.7,50,000-00 [rupees seven lakhs fifty thousand only], 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. The balance amount shall remain invested in Fixed Deposit.

Civil Application is disposed of.

Judge

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