

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

CIVIL APPLICATION (CAO) NO.623 OF 2014
IN
CIVIL APPLICATION (CAF) NO.299 OF 2013
IN
FIRST APPEAL ST. NO.1842 OF 2013

The New India Assurance Company Ltd. Thr. its Divisional Manager, Divisional Office, Akola,
presently Thr. its Chief Manager, Regional Office, Seminary Hills Nagpur.

-vs-

Parvatabai Rajaram Babbhulkar 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 A. B. Mirza, Advocate for respondent Nos.1 to
3/applicants.

CORAM : A.S.CHANDURKAR, J.
DATE : February 09, 2017

The claimants seek permission to withdraw the amount of compensation deposited by the appellant in this Court. There is no appearance on behalf of the appellant though copy of the application has been served on the learned counsel for the appellant.

Perused the judgment of the Claims Tribunal which indicates that the deceased was riding his motorcycle which was dashed by the vehicle insured by the appellant. The Claims Tribunal has directed the Insurance Company to pay the compensation and recover the same from the owner.

In view of aforesaid, the claimants are permitted to withdraw amount of Rs.2,00,000/- 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. The remaining amount shall be invested in Fixed Deposit.

Civil application is allowed and disposed of.

JUDGE