

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 16569 OF 2016
IN
FIRST APPEAL NO. 2517 OF 2011

Anusayabai Chandrakant Shinde .. Applicant

versus

United India Insurance Company Ltd. .. Respondents
and others

Mr. Sushant B. Choudhari, Advocate for applicant
Mr. S. V. Kulkarni, Advocate for respondent no. 1
Mr. D. R. Jaybhar, Advocate for respondents no. 4 and 5

CORAM : SUNIL P. DESHMUKH, J.
DATE : 27th February, 2018

ORDER :

1. This is an application moved by original 3rd claimant for withdrawal of the amount which has been deposited in this court while granting interim relief in favour of respondent no.1 - original appellant.

2. She did not have sufficient funds to engage advocate for prosecution of her case in present matter, she could secure services of advocate with difficulty. Learned counsel for the applicant states that the applicant is age-old lady. She is in dire need of money for day-to-day expenses and has moved the present matter.

3. Learned counsel Mr. Kulkarni for respondent no. 1 submits that already an amount of Rs.2,00,000/- has been allowed to be withdrawn by other claimants i.e. respondents no. 4 and 5 under order dated 18-01-2013 passed in civil application no. 504 of 2013.

4. All the claimants appear to be women. In the circumstances, I deem it expedient to allow applicant to withdraw a sum of Rs.1,00,000/- from the amount lying in balance in this court subject to furnishing an undertaking that applicant would pay back the amount within a period of three months from the date of decision in the appeal if the same goes adverse to her interest.

5. As such, civil application is allowed. Applicant is permitted to withdraw Rs.1,00,000/- subject to filing undertaking as referred to above within a period of three weeks from today. It is made clear that this would order not depict apportionment of amount among the claimants.

6. Civil application is disposed of.

SUNIL P. DESHMUKH,
JUDGE

pnd/-