

IN THE HIGH COURT OF BOMBAY AT GOA

MISC.CIVIL APPLICATION NO. 205 OF 2017

IN

FIRST APPEAL NO. 40 OF 2008

NANDINI PRABHAKAR DESAI AND ANR., ... Applicants

Versus

THE NEW INDIA ASSURANCE CO. LTD.
AND 2 ORS., ... Respondents

Ms. Elma Estebeiro, Advocate for the Applicants.

Coram:- C. V. BHADANG, J.

Date:- 16th April 2018

P.C.

This is an application for withdrawal of the amount deposited before this Court.

2. This Court by judgment and order dated 04.01.2017 in First Appeal No. 40/2008 and Cross Objection No. 21/2008, had partly allowed the Cross Objection, while dismissing the appeal. The compensation stood enhanced to Rs.13,84,000/-.

3. The respondent, Insurance Company has been served in this application. However, none appears for the Insurance Company.

4. It appears that the judgment and order dated 04.01.2017, passed in First Appeal No. 40/2008 was challenged before the

Supreme Court in Special Leave Petition (Civil) No. 017221-017222 of 2017, which was dismissed by the Hon'ble Supreme Court on 05.07.2017.

5. In such circumstances, the application is allowed. The amount deposited before this Court along with interest, if any, shall be paid to the applicants/original claimants.

6. The Civil Application is disposed of.

C. V. BHADANG, J.

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