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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**CIVIL APPLICATION NO.3229 OF 2016
IN
FIRST APPEL NO.966 OF 2012**

Smt. Prabhavati Devidas Narawade'
and ors ... Applicants

IN THE MATTER BETWEEN

Tata AIG Gen. Insurance Co.Ltd ... Appellants.

-vs-

Prabhavati Devidas Narwade
and ors ... Respondents

Mr. Sharad Bhosale i/by Dilip Bodake, for the
applicants

Mr. Nikhil Mehta i/by KMC Legal Venture, for
appellant.

CORAM : DR.SHALINI PHANSALKAR-JOSHI, J.

DATE : 29th AUGUST, 2018.

P.C. :

1] Heard learned counsel for applicant and original
appellant.

2] This application is for withdrawal of the amount of
compensation deposited by the appellant in the Tribunal. The
application is filed by original claimants. It is pointed out that already

as per order passed by this Court on 7th November, 2014, claimants were permitted to withdraw an amount of Rs.2,50,000/, out of total compensation amount of Rs.7,04,806/-, deposited in the Court.

3] In view thereof, considering the requirement and necessity of claimants, the claimants are permitted to withdraw an amount of Rs.1,25,000/-, on furnishing an undertaking that in the event the insurance company succeeds in the appeal, the insurance company is entitled to recover the amount of compensation from the owner of the vehicle.

4] Application is disposed off accordingly.

[DR.SHALINI PHANSALKAR-JOSHI, J.]