

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

**CIVIL APPLICATION NO. 1889 OF 2017
IN
FIRST APPEAL NO. 688 OF 2016**

Prashant Vishnu Shirke and others	... Applicants
<i>In the matter between</i>	
The New India Assurance Co. Ltd.	... Appellant
Versus	
Prashant Vishnu Shirke and others	... Respondents

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Mr. Hemant Ghadigaonkar, Advocate for the Applicants.
None for the Respondent.

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CORAM : A. S. CHANDURKAR, J.

DATE : 5th DECEMBER, 2018.

P. C.:

1. The claimants seek permission to withdraw further amount of compensation as deposited by the appellant.
2. By order dated 18th February, 2016, an amount of Rs.2,00,000/- was permitted to be withdrawn without furnishing any security.
3. It is submitted that the First Appeal has been dismissed for want of prosecution, as there was failure to comply with the conditional order dated 18th February, 2016.

4. Perused the contents of the application. In the facts of the case the claimants are permitted to withdraw further amount of Rs.3,00,000/- with accrued interest. They shall file an undertaking within a period of six weeks that in case the appeal is restored and allowed, the amount so withdrawn shall be repaid with interest at such rate the Court may direct. The remaining amount shall be invested in a fixed deposit.

5. The civil application stands disposed of.

(A. S. CHANDURKAR, J.)