

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

**CIVIL APPLICATION NO. 2313 OF 2017
IN
FIRST APPEAL NO. 1268 OF 2015**

Smt.Nanda Bramha Chavan & Ors.	...	Applicants
<u>In the matter between</u>		
Bajaj Alliance General Insurance Co. Ltd.	...	Appellant
V/s.		
Smt.Nanda Bramha Chavan & Ors.	...	Respondents

- Ms.Komal Sawant i/b. Mr.A.M. Gokhale for the Applicants/Respondent Nos.1 to 5.
- Mr.M.M. Sathaye for the Appellant.

CORAM : DR.SHALINI PHANSALKAR-JOSHI, J.

DATE : 10th OCTOBER, 2018.

P.C. :

1] This is an application filed by the Applicants-Claimants for withdrawal of the amount of compensation deposited in the Tribunal.

2] Learned counsel for the Appellant submits that considering the breach of policy involved in this present case, the entire amount should not be permitted to withdraw.

3] Hence, having regard to the fact and considering the necessity of the Applicants-Claimants, they are permitted to withdraw 50% of the amount of compensation deposited with the Tribunal

alongwith proportionate interest accrued thereon, subject to furnishing of usual undertaking.

4] The Civil Application is disposed of in above terms.

5] Place the Appeal on board for 'Admission' on 15th January, 2019.

[DR.SHALINI PHANSALKAR-JOSHI, J.]