

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

**CIVIL APPLICATION NO. 3754 OF 2018
IN
FIRST APPEAL STAMP NO. 23220 OF 2014**

Natwarlal Shivilal Dave and another	... Applicants
<i>In the matter between</i>	
The New India Assurance Co. Ltd.	... Appellant
Versus	
Natwarlal Shivilal Dave and others	... Respondents

.....

Mr. Bharat Gadhvi, Advocate i/b Surendra U. Sonawane,
Advocate for the Applicants.
Ms Poonam Mital, Advocate for the Respondent.

.....

CORAM : A. S. CHANDURKAR, J.

DATE : 13th DECEMBER, 2018.

P. C.:

1. The parents of the deceased have sought permission to withdraw the amount of compensation as deposited. The Claims Tribunal while awarding compensation of Rs.20,02,000/- has directed 60% of that amount to be paid to the respondent No.4 herein and 40% of that amount to be paid to the present applicants.

2. Perused the impugned judgment. In the facts of the case the present applicants are permitted to withdraw an amount of Rs.7,50,000/- without furnishing any security. They shall, however, file undertaking within a period of eight weeks from today that if the appeal is allowed, the amount so withdrawn shall be repaid with interest at such rate the Court may direct.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.

3. The civil application is disposed of.

(A. S. CHANDURKAR, J.)