

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.3299 OF 2018

IN

FIRST APPEAL NO.1089 OF 2017

Dattaram Mahadev Khetle and Ors. Applicants

In the matter between

Reliance General Insurance Co. Ltd.,
Goregaon, Mumbai. Appellant

V/s.

Dattaram Mahadev Khetle and Ors. Respondents

Mr. Tejpal S. Ingale for the Applicants.

Mr. Nikhil Mehta, I/by M/s. KMC Legal, for the Respondent-Insurance Company.

CORAM : DR. SHALINI PHANSALKAR-JOSHI, J.

DATE : 19TH SEPTEMBER, 2018.

P.C. :

1. Heard Mr. Ingale, learned counsel for the Applicants, and Mr. Mehta, learned counsel for the Respondent-Insurance Company.
2. This is an application for withdrawal of the entire amount of compensation deposited by the Appellant-Insurance Company with the Tribunal. The Applicants are the Original Claimants.
3. Considering the requirements of funds, for the reasons stated in paragraph No.3 of the Civil Application, and having regard to the fact that the Appeal is filed on the ground of quantum of compensation and negligence, the Applicants are permitted to withdraw only 50% of the amount of compensation, subject to the filing of the usual undertaking.
4. Civil Application is disposed off in the above terms.

[DR. SHALINI PHANSALKAR-JOSHI, J.]