

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.3820 OF 2017
IN
FIRST APPEAL (STAMP) NO.35545 OF 2016

Asmakhatun Mohd. Shakil Pathan and Ors.	 Applicants
<i>In the matter between</i>	
New India Assurance Co. Ltd., Mumbai	 Appellant
<i>V/s.</i>	
Asmakhatun Mohd. Shakil Pathan and Ors.	 Respondents

Mr. Tejpal S. Ingale for Applicant Nos.1 to 4 and 6.

Mr. Devendranath S. Joshi for the Appellant-Insurance Company.

CORAM : DR. SHALINI PHANSALKAR-JOSHI, J.

DATE : 19TH SEPTEMBER, 2018.

P.C. :

1. Heard Mr. Ingale, learned counsel for Applicant Nos.1 to 4 and 6, and Mr. Joshi, learned counsel for the Appellant-Insurance Company.
2. This is an application for withdrawal of the entire amount of compensation. Applicants are the Original Claimants.
3. Considering that the Appeal is preferred only in respect of quantum of compensation and also having regard to the requirements of the Applicants, the Applicants are permitted to withdraw 50% of the amount of compensation deposited by the Appellant-Insurance Company in the Trial Court, subject to furnishing usual undertaking.
4. Civil Application is disposed off.

[DR. SHALINI PHANSALKAR-JOSHI, J.]