

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE SIDE

FIRST APPEAL NO.551 OF 2016
WITH
CIVIL APPLICATION NO.1331 OF 2016

The New India Assurance Co. Ltd.

-vs-

Sanjivani Mohan Pawar and ors.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Shri D. R. Mahadik, Advocate for appellant.
Shri Vishwambhar M. Parkar, Advocate for respondent
Nos.1 to 3.

CORAM : A.S.CHANDURKAR, J.

DATE : November 28, 2018

Heard.

Admit.

Call for record and proceedings.

Shri V. M. Parkar, learned counsel waives notice on
behalf of respondent Nos.1 to 3.

Civil Application No.1331 of 2016

The claimants seek permission to withdraw the amount
of compensation as awarded by the Claims Tribunal.

Heard the learned counsel and perused the impugned
judgment. Prima facie considering the observations in
paragraph 11 of the impugned judgment of the Claims
Tribunal the claimants are permitted to withdraw 50% of the
amount of compensation as deposited. The claimants shall
file an undertaking before this Court within period of eight
weeks from today that in case the appeal is allowed the
amount withdrawn would be repaid with interest at such

rate the Court may direct. The remaining amount shall remain invested in Fixed Deposit.

Civil Application is disposed of.

(A.S.CHANDURKAR, J.)