

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

**CIVIL APPLICATION NO. 940 OF 2018
IN
FIRST APPEAL NO. 1170 OF 2017**

Zamabai Shantaram Bhogade	... Applicant
<i>In the matter of</i>	
New India Assurance Co. Ltd.	... Appellant
Versus	
Zamabai Shantaram Bhogade and others	... Respondents

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Mr. Devendranath S. Joshi, Advocate for the Applicant.
Mr. Vilas B. Tapkir, Advocate for Respondent No.1.

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CORAM : A. S. CHANDURKAR, J.

DATE : 10th DECEMBER, 2018.

P. C.:

1. By this application it is prayed that the claimants be permitted to withdraw the amount of compensation as deposited. It is submitted by the learned Counsel for the appellant that the appeal is preferred on account of higher amount of compensation awarded by the Claims Tribunal.
2. On hearing the learned Counsel for the parties and after considering the proposed deductions as urged by the appellant, in

the facts of the case the claimants are permitted to withdraw 50% of the amount of compensation as deposited. The claimants shall file undertaking within eight weeks from today that if the appeal is allowed, the amount so withdrawn shall be repaid with interest at such rate the Court may direct.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.)