

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

FIRST APPEAL NO.880 OF 2017

[ICI Lombard General Insurance Company Limited .vs. Manoj Vasudeorao Bhonge and others]

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

Court's or Judge's orders

.....
Mrs. Ashwini Athalye, Advocate for appellant,
Shri K.S. Narwade, Advocate for respondent nos.1 to 3.
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CORAM : MRS. SWAPNA JOSHI, J.

DATED : JULY 16, 2018.

Heard.

Admit.

Call R & P.

Civil Application No.219/2018

Heard Mrs. Athalye, the learned counsel for the appellant and Shri Narwade, the learned counsel for the applicants-respondent nos.1 and 2.

Learned counsel for applicants submits that 50% of amount be released on furnishing an usual undertaking before Registrar (Judicial) for his satisfaction and remaining 50% of amount may be kept in fixed deposit.

Having considered the grounds of appeal and the impugned judgment passed by the reference court, I am of the view that the amount deposited in this court can be allowed to be withdrawn conditionally. The application is therefore allowed. Respondent nos.1 and 2 to withdraw the amount deposited in this court, subject to the condition that for 50% of the amount, an usual undertaking shall be furnished to the satisfaction of the Registrar (Judicial) and for remaining 50% of the amount, the same be kept in fixed deposit to the effect that in

event of any adverse order passed against respondent nos.1 and 2, they shall refund the amount of compensation within four weeks from the date of the order. The undertaking shall be furnished within two weeks from the date of this order.

With this order, the application stands disposed of.

JUDGE

Gulande