

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

CIVIL APPLICATION NO.217 OF 2018
IN FIRST APPEAL NO.266 OF 2016

(National Insurance Co. Ltd. vs. Smt. Binda wd/o Khandu Borkute (dead) and others)

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

Shri Shri H.N. Potbhare, Advocate for applicants/
respondent nos.2 to 4 and 6.

Shri A.K. Somani, Advocate for appellant.

CORAM : MANISH PITALE, J.

DATED : FEBRUARY 13, 2018

This is an application filed on behalf of respondent nos.2 to 4 and 6/claimants seeking modification of order dated 22/6/2017 passed by this Court. By the said order, this Court had permitted withdrawal of amount of compensation by respondent nos.1 to 6. It is pointed out on behalf of claimants that respondent no.5 has already been deleted from the array of parties and that respondent no.1 is dead whose legal representatives are already on record, i.e. respondent nos.2 to 4 and 6.

In this backdrop, it is prayed by the claimants that the order dated 22/6/2017 needs to be modified to the extent that permission to withdraw the amount of compensation needs to be granted to respondent nos.2 to 4 and 6. Learned Counsel for appellant has no objection to the prayer made in this application.

Hence, this application is allowed. The order dated 22/6/2017 passed by this Court is modified to the extent that respondent nos.2 to 4 and 6 are permitted to withdraw the amount as directed and on the condition specified in the order dated 22/6/2017.

JUDGE

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