

IN THE COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR
CIVIL APPLICATION (F) NO.918/2018

IN
FIRST APPEAL NO. 1257/2016

(The New India Assurance Co.Ltd. vs. Sunita wd/o Kamlesh Lokhande and others)

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

Court's or Judge's order

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 Mr. B.PBhatt, Adv. for appellant

Mr. Raju Kadu, Adv.h/for Mr M.V.Rai, Advocate for respondents 1 & 2

CORAM : MRS.SWAPNA JOSHI, J.

DATED : 27th July, 2018.

This is an application seeking permission to withdraw the award amount.

Heard both sides. Having considered the grounds of Appeal and the impugned judgment passed by the Tribunal, I am of the view that 50 per cent of the amount deposited in this Court can be conditionally allowed to be withdrawn. Hence the following order:

The respondents 1 and 2 are allowed to withdraw 50% of the amount deposited in this Court subject to the condition that for the 25% of the amount, the respondents to furnish usual undertaking and for 25% of the amount, solvent surety to the satisfaction of the Registrar (J) of this Court be furnished, within a period of two weeks from the date of this order. The rest of the amount be invested in a nationalised bank initially for a period of three years.

The Civil Application is allowed accordingly.

JUDGE

satave