

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

**FIRST APPEAL NO.1170/2017**

Bharti AXA General Insurance Co. Ltd., Nagpur

..Vs..

Nandkumar S/o Gulab Borkar and others

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

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Shri A.J. Pophaly, Advocate for the appellant.  
Shri K.S. Motwani, Advocate for respondent Nos.1 to 3.  
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**CORAM : Z.A. HAQ, J.**

**DATE : 10.4.2018.**

Heard.

**ADMIT.**

Shri K.S. Motwani, Advocate waives notice for  
respondent Nos.1 to 3.

Shri Alok Upasani, Advocate waives notice for  
respondent Nos.4 and 5.

Call record and proceedings.

The appellant shall file private paper book  
within six months.

**C.A.F. NO.4124/2017**

The appellant / insurance company has  
deposited the amount. Interim order granted on 13<sup>th</sup>  
October, 2017 shall continue until further orders. The  
amount be kept in fixed deposit in nationalized bank.  
The civil application is **allowed** accordingly. No costs.

**C.A.F. NO.955/2018**

Considering the defence raised by the appellant / insurance company, the prayer made on behalf of the claimants for grant permission to withdraw the amount deposited by the appellant / insurance company is rejected. The civil application is **dismissed**.  
No costs.

JUDGE

*Tambaskar.*