

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

CIVIL APPLICATION (CAF) NO.2695/2017 IN FA NO.378/2016
Iffco Tokio-General Insurance Co. Ltd., thr. its Branch Manager, Nagpur

..VS..

Laxman Sonba Kasarkar and ors

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

Court's or Judge's Order

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Shri Vivek Awchat, Counsel for applicant/respondent No.1 to 3.
Shri A.J. Pophly, Counsel for the appellant.
Shri P.R. Wagh, Counsel for respondent Nos.4,5-A & 5-B

CORAM : V.M. DESHPANDE, J.

DATED : AUGUST 10, 2018.

1. This is an application filed on behalf of the claimants. The son of non-applicant Nos.1 and 2 expired in an accident. The Trial Court awarded amount of Rs.2,74,000 along with interest at the rate of 7.5% per annum from the date of application.
2. Heard learned counsel for the parties
3. Learned counsel for the insurance company submits before this Court that the insurance company has deposited the entire amount i.e. Rs.4,32,514/- before this Court.
4. For the reasons stated therein, the application is allowed. The claimants will be entitled to withdraw the amount deposited by the insurance company on they giving an undertaking to the Registrar (J.) of this Court that in the event the appeal filed by the insurance company is allowed, they will refund the entire amount so withdrawn along with interest that may be determined by this Court at the time of final hearing within a period of 1 year from

.....2/-

the date of judgment.

5. The civil application stands disposed of accordingly.

JUDGE

!! BRW !!