

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

CAF NO.1887/2018 IN FIRST APPEAL NO.1255/2016

[New India Assurance Company Limited .vs. Smt. Kokila wd/o Gajanan Pakhare and others]

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

Court's or Judge's orders

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Shri B.P. Bhatt, Advocate for appellant,  
Shri M. Badar, Advocate for respondent nos.1 to 5,  
Shri D.S. Patil, Advocate for respondent nos.10 to 13.  
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CORAM : MRS. SWAPNA JOSHI, J.

DATED : JULY 18, 2018.

Heard.

This is an application filed by respondent nos.10 to 13 for withdrawal of amount deposited by the appellant in this court.

Heard Shri Patil, the learned counsel for respondent nos.10 to 13, Shri Badar, the learned counsel for respondent nos.1 to 5 and Shri Bhatt, the learned counsel for the appellant.

Having considered the grounds of delay and the impugned judgment passed by the tribunal, I am of the view that the amount deposited in this court can be allowed to withdraw conditionally. Hence, the application is therefore allowed. Permission is granted to respondent nos.10 to 13 to withdraw the amount of Rs.2,00,000/- only, which is deposited in this court, subject to the condition that an undertaking to be furnished to the effect that in event of any adverse order being passed against respondent nos.10 to 13, they shall refund the amount of compensation within four months from the date of that order. The undertaking be furnished before the Registrar (Judicial) within a period of one week.

With this order, the application stands disposed of.

JUDGE