

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

CIVIL APPLICATION (CAF) NO.2127/2018

IN

FIRST APPEAL NO.647/2018

The Regional Manager, The New India Assurance Co.Ltd., Nagpur

..VS..

Rajni wd/o Sudhakar Bhuwan and ors

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

Court's or Judge's Order

.....
Mrs. P.S. Mirache, Counsel for applicants/respondent Nos.1, 2 &, 4.
Shri S.A. Marathe, Counsel for the appellant.

CORAM : MRS. SWAPNA JOSHI, J.

DATED : JULY 20, 2018.

1. This application is filed by applicants/respondent Nos.1, 2, and 4 for withdrawal of the decretal amount deposited by the appellant before this Court on 22.3.2017. The appellant deposited amount of Rs.17.85,462/-.
2. Heard learned counsel for the parties.
3. Having heard learned counsel for the parties and gone through the contents in the application, and order impugned in the matter, I am of the view that the application can be allowed partly.
4. For the reasons mentioned in the application, the application is partly allowed.
5. Applicants/respondent Nos.1, 2, and 4 are permitted to withdraw only 50% of the deposited amount. However, upon applicants/respondent Nos.1, 2, and 4 furnishing an usual undertaking to the satisfaction of the Registrar (J) of this Court, they shall be permitted to withdraw 25% of the amount and balance 25% of the deposited amount shall be permitted to be withdrawn upon their furnishing solvent surety to

.....2/-

the satisfaction of the Registrar (J) of this Court.

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1. Heard.
2. ADMIT
3. The record and proceedings be called for.

JUDGE

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