

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

CIVIL APPLICATION (CAF) NO.2249/2018 IN FA NO.718/2018
The Oriental Insurance Co.Ltd., Akola Branch, thr. the Divisional Manager (Incharge), Nagpur
..VS..
Smt. Sunita Sahebrao Bramhane and ors

Smt. Sunita Sahebrao Bramhane : Applicants/Respondent Nos.1 to 6

.....
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 S.U. Bhuyar, Counsel for applicant Nos.1 to 6(claimants).
Shri D.N. Kukday, Counsel for the appellant.
Shri A.M. Balpande, AGP for respondent Nos.12.

CORAM : V.M. DESHPANDE, J.
DATED : AUGUST16, 2018.

1. This is an application filed on behalf of the original claimants for withdrawal of the amount deposited by the insurance company before this Court as per the directions given by this Court.
2. After hearing learned counsel Shri S.U. Bhuyar for the claimants, learned counsel Shri D.N. Kukday for the appellant/iinsurance company and learned Assistant Government Pleader Shri Amit Balpande for respondent No.12, in my view, in the interest of justice, following order is passed:

ORDER

- (i) The civil application is partly allowed.
- (ii) Applicant Nos.1 to 6 will be entitled to withdraw 50% of the amount so deposited by the insurance company before this Court on they giving an undertaking before this Court that in the event, the appeal filed by the insurance company is allowed, they shall refund the amount so withdrawn along with interest that will be determined by this Court at the time of final disposal of the appeal within a period of one year from the date of judgment. The amount should be withdrawn by applicant No.1 Sunita Bramhane for

herself and for and on behalf of minor son and daughters and applicant No.6.

(iii) The civil applications stands disposed of accordingly.

JUDGE

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