

IN THE HIGH COURT OF BOMBAY AT GOA

MISC.CIVIL APPLICATION NO. 169 OF 2019

IN

FIRST APPEAL NO. 45 OF 2017

MARIA SANTANA FERNANDES AND ANR., ... Applicants

Versus

THE NEW INDIA ASSURANCE COMPANY LTD., ... Respondent

Mr. Anthony Joe D'silva, Advocate for the Applicant.

Mr. Amey Jagdish Sinai Kakodkar, Advocate for the Respondent.

Coram:- R. D. DHANUKA & PRITHVIRAJ K. CHAVAN, JJ.

Date:- 25th April 2019

P.C.:

By this application, the applicants who are original claimants seek to withdraw 30% of the amount of Rs.3,08,99,879/- deposited by the appellants before this Court pursuant to the interim order passed by this Court.

2. Heard learned Counsel for the parties.

3. According to the appellant, even if the applicants succeed, the applicants would be entitled to atleast 75,00,000/-. In our view, the request for withdrawing 30% of the amount deposited

by the appellant, deserves to be accepted.

4. Misc. Civil Application is accordingly allowed, on the aforesaid terms.

5. Office is directed to allow the applicants to withdraw the said amount within a period of two weeks from today.

6. There shall be no order as to costs.

PRITHVIRAJ K. CHAVAN, J.

R. D. DHANUKA, J.

MF/-