

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**CIVIL APPLICATION NO. 4406 OF 2018
IN
FIRST APPEAL NO. 1210 OF 2015**

Smt.Shradha Shekhar Rege & Ors.	...	Applicants
<u>In the matter between :-</u>		
The Manager, The New India Assurance Co. Ltd.	...	Appellant
V/s.		
Smt.Shradha Shekhar Rege & Ors.	...	Respondents

- Mr.D.R. Mahadik for the Appellant.
- Mr.Sudhakar G. Thorat a/w. Mr.T.J. Mendon for the Applicants/Org. Respondent Nos.1 to 4.

CORAM : DR.SHALINI PHANSALKAR-JOSHI, J.

DATE : 16th JANUARY, 2019.

P.C. :

- 1] Heard learned counsel for both the parties.
- 2] This is an application preferred by the Applicants-Claimants for withdrawal of the entire amount of compensation deposited in the Court.
- 3] Considering that the Appeal is preferred on the point of negligence, the entire amount cannot be permitted to withdraw.
- 4] The Applicants-Claimants are therefore permitted to withdraw 25% of the amount of compensation, subject to furnishing of usual undertaking. The Applicants-Claimants are at liberty to apply for further withdrawal of the amount, if exigency arises in future.
- 5] The Civil Application is disposed off in above terms.

[DR.SHALINI PHANSALKAR-JOSHI, J.]