

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

Civil Application No.380 of 2019
in
First Appeal No. 1185 of 2018
(IFFCO Tokio General Insurance Co. Ltd. Nagpur .vs. Smt. Sadhana wd/o
Satish Mhaske and others.)

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders.
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Mr. A.J. Pophaly, Advocate for Appellant.
Mr. S.P. Pawar, Advocate for Respondent Nos. 1 to 4.

CORAM : Manish Pitale, J.
DATED : October 18, 2019.

This is an application moved on behalf of the respondent nos. 1 to 4 (original claimants) seeking permission to withdraw the amount of compensation deposited by the appellant-Insurance Company in this Court.

2. It is stated in the application that after the death of the victim, the said respondents are facing financial crisis and he was the earning member. It is further pointed out that the respondent no.1 is the widow while the respondent no.2 is the minor son of the deceased and respondent nos. 3 and 4 are unfortunate parents of the deceased.

3. Although this application is strongly opposed on behalf of the appellant -Insurance Company on the ground that there was fundamental breach of the Insurance Policy, in the facts and circumstances of the present case, for the present the respondent nos. 1 to 4

are permitted to withdraw the 50% amount deposited in this Court, subject to furnishing usual undertaking before the learned Registrar (Judicial) within a period of four weeks from today. Application is disposed of.

JUDGE

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