

FARAD CONTINUATION SHEET No.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

C.A.F. NO. 425/2019 IN FIRST APPEAL NO. 741/2017

(NEW INDIA ASSURANCE CO.LTD., BULDANA **VERSUS** MEENA MADAN AMBHORE & OTHERS)

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

Court's or Judge's orders

Shri S.D. Zoting, counsel for appellant.
 Shri S.A. Saoji, counsel for applicants/R-3 & 4.

CORAM : A.S. CHANDURKAR, J.

DATE : FEBRUARY 08, 2019.

This application has been moved by the parents of the deceased seeking permission to withdraw the amount of compensation as deposited by the appellant.

Perused the impugned judgment. By an order dated 16.01.2018, the widow of the deceased was permitted to withdraw an amount of Rs.85,500/-. It has been observed that said widow has since re-married. In the application it is stated that the parents of the deceased have not received any amount of compensation.

The prayer is opposed by learned counsel for the appellant.

However, considering the nature of evidence on record, the respondent nos.3 and 4 in the appeal are permitted to withdraw an amount of Rs.75,000/- each subject to filing an undertaking in this Court that in case the appeal is allowed the said amount shall be re-deposited with interest at such rate the Court may direct. Remaining amount shall remain invested in Fixed Deposit.

Civil application stands disposed of.

JUDGE

APTE