

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

CIVIL APPLICATION NO.818 OF 2019
IN
FIRST APPEAL STAMP NO.14218 OF 2014

Nirmala Raju Nagare & Ors. ... Applicants.

In the matter between

National Insurance Co. Ltd. ... Appellant.

V/s.

Nirmala Raju Nagare & Ors. ... Respondents.

Mr.T.J.Mendo for the Applicants.

Ms.Harshada M. Rane for the Original Appellant.

CORAM : V.G. BISHT, J.

DATE : 22ND JANUARY, 2020.

P.C.:

1. Heard learned counsel for the parties.
2. The applicants have moved this application for withdrawal of amount deposited by the original appellant pursuant to the judgment and order dated 24/10/2013 passed by the learned Member, Motor Accident Claims Tribunal, Mumbai in Claim Petition No.2387 of 2006.
3. In view of submissions made by learned counsel for the applicants, they are allowed to withdraw 25% of the compensation amount as per apportionment made in paragraphs 2 to 5 of the order dated 24/10/2013 passed in

Claim Petition No.2387 of 2006. The applicants are directed to give an undertaking of returning the said amount to be withdrawn in the event of appeal being allowed with prevailing rate of interest.

4. Civil Application is allowed and is accordingly disposed of.

(V.G. BISHT, J.)