

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

Civil Application (CAF) No.3777 of 2018
IN
First Appeal No.91 of 2020

The Prime Guard Security Services Pvt. Ltd. & Anr. Vs. Smt. Uttara Prashant Tulkane & Ors.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders

Shri Raju Kadu, Advocate for the Appellants.
Mrs. Khobragade, Advocate h/f Shri M.V. Rai, Advocate for Respondent Nos.1 to 3.
Shri R.E. Moharir, Advocate for Respondent No.5.

CORAM : SMT. ANUJA PRABHUDESSAI, J.
DATE : 29th JANUARY, 2021.

Learned counsel for the appellants states that the entire amount as per the impugned judgment and award has been deposited.

In the light of the said statement, execution and implementation of the impugned judgment and award is stayed till the disposal of the appeal on merits.

The civil application stands disposed of.

Civil Application (CAO) No.2095 of 2019

The respondent Nos.1 to 3 have filed this application for withdrawal of the amount deposited by the appellants. Respondent Nos.2 and 3 are minors. Hence, I am not inclined to allow withdrawal on behalf of respondent Nos.2 and 3.

50% of the compensation deposited by the appellants is

ordered to be paid to respondent No.1, subject to an undertaking that the said amount shall be refunded along with the interest in the event, the appeal is allowed and it is held that the respondents are not entitled for compensation.

The civil application stands disposed of.

First Appeal No.91 of 2020

Heard. Arguable points are raised. Hence, admit.

Mrs. Khobragade, learned counsel holding for Shri M.V. Rai, learned counsel waives service of notice on behalf of respondent Nos.1 to 3 and Shri R.E. Moharir, learned counsel waives service of notice on behalf of respondent No.5.

Call for the record and proceedings.

Private paper-book to be filed within six months.

(SMT. ANUJA PRABHUDESSAI, J.)