

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

**INTERIM APPLICATION NO. 57 OF 2020
IN
FIRST APPEAL NO. 286 OF 2019**

Rinku Pandurang Mohite and ors. Applicants

In the matter between :-

Oriental Insurance Co. Ltd. Appellant

v/s.

Rinku Pandurang Mohite and ors. Respondents

Ms. Amrin Khan i/b. Mr. Avinash M. Gokhale for the Applicants.
Mr. Devendranath Joshi h/f. Mr. Indrajeet R. Kulkarni
for the Respondents (original Appellant in FA).

CORAM: SMT. ANUJA PRABHUDESSAI, J.

DATED : 04th MARCH, 2022.

P. C. :-

. By order dated 01/08/2019, this Court had directed the Appellant to file private paper book within one year from the date of the order with copy to the other side, failing which the Appeal would stand dismissed without further reference to the Court. It is stated that the private paper book has not been filed, as a consequence thereof, Appeal is dismissed for non-filing of the paper book. Mr. Devendranath Joshi, learned counsel for the Appellant, under instructions, states that the Restoration Application will be filed within a period of two weeks from today.

2. By this Application, the Applicants have sought withdrawal of compensation deposited by the Appellant – Insurance Company. The Applicants herein is a widow, child and the mother of the deceased. Hence, 25% of the compensation be paid to the Applicant No.1, the widow of the deceased ; 5% of compensation be paid to the Applicant No.3, the mother of the deceased. Since the Applicant No.2 is a minor, I am not inclined to allow withdrawal on behalf of Applicant No.2.

3. Interim Application stands disposed of in above terms.

**PREETI
H JAYANI**

(SMT. ANUJA PRABHUDESSAI, J.)

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PREETI H JAYANI
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