

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

**FIRST APPEAL NO.1839 OF 2005  
WITH  
INTERIM APPLICATION NO.1844 OF 2019**

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The New India Assurance Co. ...Appellant  
Ltd.

Versus  
Jayashree R. Pathak and Ors. ...Respondents

.....  
Ms. Jyoti Bajpayee for the Appellant.  
Mr. Satish S. Raut for Respondent Nos.1 to 4 in FA and for  
applicant in IA.

**CORAM : SMT. ANUJA PRABHUDESSAI, J.**

**DATED: 24<sup>th</sup> JUNE, 2022.**

**P.C.:-**

**INTERIM APPLICATION NO.1844 OF 2019**

1. By this application, the applicant has sought withdrawal of the 50% of the compensation on the ground of higher education of her children. Applicants-Original Claimants are already permitted to withdraw 50% compensation with proportionate interest thereon. Appeal challenges the quantum of compensation awarded.

2. Considering the above facts, I am not inclined to allow withdrawal of the balance amount of compensation.

3. Application stands disposed of.

**(SMT. ANUJA PRABHUDESSAI, J.)**

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Call for records and proceedings.

2 Stand over two weeks, i.e, 8<sup>th</sup> July, 2022 on  
Supplementary Board.

**(SMT. ANUJA PRABHUDESSAI, J.)**