

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

CIVIL APPLICATION (CAF) NO. 807 OF 2022
IN
FIRST APPEAL NO. 1091 OF 2018 (D)

Iffco Tokio General Insurance Co. Ltd., Nagpur

..vs..

Anil @ Narendra s/o Sahadeorao Bhimte and anr.

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

Court's or Judge's orders

Shri D.S. Khushlani, Advocate for the respondent no. 1.

CORAM : M.S. KARNIK, J.
DATED : 02/05/2022.

This is an application filed by the claimant/respondent no. 1 for withdrawal of the amount deposited by the appellant in this Court.

2. It is brought to my notice that First Appeal was dismissed in default for non-compliance of the Court's Order dated 16.06.2021.

3. I did not find any application made on behalf of the appellant for recalling the order of dismissal of the appeal in default.

4. For the reasons stated in the application, the application is allowed.

5. The claimant/respondent no. 1 is allowed to withdraw the amount of compensation along with the interest, deposited with the registry of this Court.

6. Withdrawal is subject to the claimant/respondent no.1 filing an appropriate undertaking before the Registrar(Judicial) stating that in the event the appeal is

restored, such withdrawal will be subject to the further orders passed by this Court in the said proceedings, which the claimant/respondent no. 1 will abide.

7. The application is allowed in terms of the prayer made.

JUDGE

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