

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

**CIVIL APPLICATION (F) NO. 1891 OF 2022**

**IN FIRST APPEAL NO. 697 OF 2017**

(National Insurance Co. Ltd. thr. its Divisional Manager, Kolkata, thr. Nagpur Branch Vs. Grace @  
Ezhilarasi w/o late Pankaj Kapoor & Ors.)

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

*Court's or Judge's order*

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Shri Collin C. Anthony, Advocate for the appellant.  
Shri V.A. Patait, Advocate for respondent Nos. 1 to 5.

**CORAM : A. S. CHANDURKAR AND URMILA JOSHI-PHALKE, JJ.**

**DATE : AUGUST 24, 2022.**

The claimants seek permission to withdraw the balance amount of compensation that has been deposited by the appellant. By an earlier order dated 23/2/2018, an amount of Rs.4,50,00,000/- (rupees four crore fifty lakh) has been permitted to be withdrawn.

In the aforesaid facts and as the Appeal is of the year 2017, it is deemed appropriate to decide the Appeal finally.

The appellant shall publish notice for serving respondent No.6 in terms of the order dated 16/11/2021. Notice in that regard is made returnable on 15/9/2022. By that date, the appellant shall also file private paper-book. The parties are put to notice that the Appeal shall be heard finally on that date. If the Appeal is not heard for any reason, for a period of three months from that date, it would be open for the claimants to renew the prayer made in this application.

The Civil Application is disposed of.

**FIRST APPEAL NO. 697/2017**

To be heard along with First Appeal No. 1457/2017.

(URMILA JOSHI-PHALKE, J.)

(A. S. CHANDURKAR, J.)

SUMIT