

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

**CIVIL APPLICATION (CAF) NO. 1527 OF 2022**  
**IN**  
**FIRST APPEAL NO. 329 OF 2018**

The New India Assurance Company Ltd. thr. its Manager, having its R.O., Nagpur

**...VERSUS...**

Smt. Kanchan Wd/o. Pankaj Makasare and 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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Ms. Anita Mategaonkar, Advocate for appellant.

Shri Asghar Hussain, Advocate for respondent nos. 1 to 5.

Mrs. Sneha Dhote, Advocate h/f. Shri Rajnish Vyas, Advocate for respondent nos. 3 to 5.

**CORAM : SMT. M. S. JAWALKAR,J.**

**DATE : 27<sup>th</sup> JULY, 2022.**

Mrs. Sneha Dhote, learned counsel holding for Shri Rajnish Vyas, learned counsel submits that she was not aware that Shri Azgar Hussain, learned counsel is appearing for respondent nos. 1 to 5. So, she requested this Court for discharging them from appearing for respondent nos. 3 to 5. Accordingly, Shri Rajnish Vyas, learned counsel and Mrs. Sneha Dhote, learned counsel for respondent nos. 3 to 5 are hereby discharged.

2. Leave to amend is granted to the counsel appearing for respondent nos. 1 to 5 on his oral request.

3. Amendment be carried out forthwith.

4. Office to take note.

5. The present application is filed for grant of permission to withdraw the amount.

6. It appears that some amount has been withdrawn after deposited by the appellant Company. The amount of Rs. 17,37,715/- is deposited vide CCDR No. 4087 dated 13/11/2017. The First Appeal is disposed of as dismissed for non-compliance of order dated on 17/06/2021. In view thereof, there is no impediment to allow this application. Accordingly, the present application is allowed.

7. Non-applicant nos. 1 to 5/respondents are permitted to withdraw the balance amount pending with this Court along with accrued interest in proportion as specified in the award.

8. The Registry is directed to disburse the amount in the bank account of non-applicant nos. 1 to 5/respondents on verification of bank details.

9. The application is disposed of accordingly.

**(Smt. M.S. Jawalkar, J.)**

B.T.Khapekar