

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

CIVIL APPLICATION (CAF) NO. 1820/2022 IN
FIRST APPEAL NO. 387/2022

Magma HDI General Insurance Co. Ltd. Through its Manager
Vs.
Vandana W/o Nilesh Wagh and others

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

Court's or Judge's orders

Shri A.V. Pande, Advocate h/f Shri R.D. Bhuihar, Advocate for appellant
Shri M.V. Rai, Advocate for respondent No.1

CORAM : SMT. M.S. JAWALKAR, J.
DATE : 12/08/2022

The present application is filed by the respondent-claimant Nos. 1 to 4 for grant of permission to withdraw the amount deposited by the appellant. The appeal is filed being aggrieved by the amount of compensation granted by the Claims Tribunal, so also, the defence of fake policy. It is submitted by the learned Counsel for the applicant that the children are taking education, and son by name; Indra is having career in Karate.

2. For the reasons stated in the application, I am of the considered opinion that at present 50% of amount deposited is permitted to withdraw to suffice the purpose.

3. The application is vehemently opposed by Counsel for the respondent. However as stated above it will be

appropriate to allow the application and to grant permission to withdraw 50% of amount deposited by the appellant.

4. The Registry is directed to disburse the 50% amount deposited by the appellant along with accrued interest.

5. After depositing of the said amount respondent-claimant No.1 to invest Rs.3,00,000/- each from the share of minor in the fixed deposit to any nationalize bank and place the copy of certificate with the Registry.

6. The application is disposed of.

(SMT. M.S. JAWALKAR, J.)

Jayashree..