

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

CIVIL APPLICATION (CAF) NO.1372/2022

IN

FIRST APPEAL ST. NO.11639/2019

The United India Insurance Co. Ltd

Vs

Smt. Priti wd/o Pravin Choudhary and others

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

Court's or Judge's orders

Shri M.R. Johrapurkar, Advocate for appellant
Shri R.K. Joshi, Advocate h/f Shri C.S. Dharmadhikari, Advocate for
respondent Nos.1 to 4.

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

DATED : 06/07/2022

The present application is filed on behalf of the respondent Nos.1 to 4 for withdrawal of amount. The order of M.A.C.P. Yavatmal in M.A.C.P. No.130/2013 is under challenge in this appeal. The total decretal amount of Rs.63,06,500/- is deposited along with interest at the rate of 8% per annum, from the date of filing of petition.

2. For the reason stated in the application, I am satisfied that it would be appropriate to allow the claimants to withdraw Rs.25,00,000/- out of the total deposited amount. Accordingly application is allowed.

3. The respondent Nos. 1 to 4 are permitted to withdraw Rs.25,00,000/- subject to undertaking to be filed within two weeks, to the effect that if appellant succeed, the amount will be refunded as per order which would be passed in First Appeal.

4. Learned Counsel for appellant to take steps to serve the unserved respondents within three weeks.

JUDGE

R.S. Sahare