

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

CIVIL APPLICATION (CAF) NO.2143/2022

IN
FIRST APPEAL NO.688/2016

The New India Assurance Company Limited through its Branch Manager,
Gondia presently through its Chief Regional Manager, Nagpur

...Versus...

Shantibai w/o Ashokkumar Sangtani and others

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

Court's or Judge's orders

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Shri A.W. Paunikar, Advocate for appellant
Shri K.S. Motwani, Advocate for respondent nos.1 and 2
Shri R.K. Borkar, Advocate for respondent no.3

CORAM : AVINASH G. GHAROTE, J.

DATE : 22/12/2022

1. The civil application seeks withdrawal of the entire compensation amount deposited by the appellant. Though the same is opposed by Shri Paunikar, learned counsel for the appellant, since there is no dispute regarding the accident and the coverage and what is disputed is only the question of contributory negligence, 50% of the amount deposited with accrued interest is permitted to be withdrawn by the claimants subject to the usual undertaking to the satisfaction of the Registrar (Judicial) of this Court.

2. In case the RTGS details are submitted, the amount be transferred to the accounts of the claimants.

3. The civil application is accordingly allowed and disposed of. No order as to costs.

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The office objections be removed within two weeks from today.

(AVINASH G. GHAROTE, J.)

Wadkar