

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

CIVIL APPLICATION (CAF) NO. 1146/2022 IN
FIRST APPEAL ST. NO. 6191/2021

Shriram General Insurance Co. Ltd. Nagpur Through Its Manager
Vs
Tipu @ Anil Kalchandra Mahato And Others.

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

Court's or Judge's Order

Ms A.S. Athalye, advocate for the appellant.

Ms U.A. Bhattad, advocate for the respondent Nos. 1 and 2/applicant

CORAM : URMILA JOSHI-PHALKE, J.
DATED : 26/04/2023.

1. Heard.
2. The present application is for seeking permission for withdrawal of the amount on the ground that though the award was passed in favour of the claimants that they have not received the compensation amount, as the insurance company has preferred this appeal.
3. As per the contention of the claimants that the bread earner of the family died in the said accident and now, they are starving.
4. The said application is strongly opposed by the learned advocate Ms. A.S. Athalye for the appellant on the ground that there is a breach of terms and conditions of the policy that the learned trial Court had not

considered the same and saddled the responsibility of paying the compensation on the insurance company.

5. Perused the application and considered the objection raised by the appellant.

6. In view of that at this stage, it will be appropriate to permit respondent Nos. 1 and 2 to withdraw the 75% amount along with accrued interest on due identification and verification.

Civil application is **disposed of**.

CIVIL APPLICATION (CAF) NO. 240/2022

1. Appellant to take steps as the appeal is already dismissed against respondent No.3.
2. Stand over after Summer Vacation.

JUDGE