

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

CIVIL APPLICATION (CAF) NO.1326 OF 2023

IN
FIRST APPEAL NO.689 OF 2021

The Branch Manager, SBI General Insurance Co. Ltd., Through Regional Manager,
Nagpur

Vs.

Preeti wd/o Ravindra Khokale and others

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

Court's or Judge's orders

Mrs. Mrunal Naik, Advocate for appellant.

Ms. Monali Hemraj Pathade, Advocate for respondent Nos.1 to 4.

Mr. Rohan Deo, Advocate h/f Mr. Rohit Joshi, Advocate for respondent No.5.

CORAM : URMILA JOSHI-PHALKE, J.

DATED : 03/05/2023

1. This application is seeking permission for withdrawal of the decretal amount deposited by the appellant before this Court.

2. As per the contention of the respondent Nos.1 to 4 that they have lost their bread earner in the alleged accident. Now, they have no source of income. The respondent No.2 is a minor son of the deceased and the respondent No.1. Respondent No.1 also needs the amount for the education purpose of the respondent No.2.

3. The said application is strongly opposed by the learned Advocate for the appellant on the ground that the appellant has challenged the quantum of compensation. The compensation amount awarded is

excessive and exorbitant one.

4. In view of the reasons mentioned in the application and considering objection raised, it will be appropriate at this stage to permit the respondent Nos.1 to 4 to withdraw 50% of the amount on usual undertaking.

5. The amount be disbursed on due identification and verification.

6. Civil Application is disposed of.

First Appeal No.689/2021

Appellant to supply the copy of the appeal memo to the respondent No.5.

(URMILA JOSHI-PHALKE, J.)

Sarkate