



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

CIVIL APPLICATION (CAF) NO. 3403/2023

IN

FIRST APPEAL NO. 80/2021

TATA AIG General Insurance Co. Ltd. Vs. Smt. Sarika Balkrushnaji Hole and Ors.

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

Court's or Judge's order

Mr. H. M. Verma, Advocate for Appellant.

Mr. Sawan Alaspurkar, Advocate for Respondent Nos.1 to 3.

CORAM : MRS. VRUSHALI V. JOSHI, J.

DATED : 06.11.2023

1. The learned Counsel for the respondents/claimants has filed this application for withdrawal of amount deposited by the appellant. Amount of Rs.15,00,000/- was already withdrawn by the respondents out of Rs.64,32,800/-.

2. The learned Counsel for the appellant has raised an objection for withdrawing the amount as the appellant is seriously challenging the award passed by the Tribunal that the cause of death is not the accident.

3. The learned Counsel for the respondents/claimants has stated that the son and the daughter of the deceased are taking education in Engineering College and for providing them financial help, the amount is required.

4. As Rs.15,00,000/- is already withdrawn by the respondents and the reason for withdrawing some more amount is for the benefit of the study of the children, the amount of Rs.15,00,000/- is allowed to withdraw on

furnishing solvent surety and on giving usual undertaking.

5. The Registry is directed to release amount of Rs.15,00,000/- on furnishing solvent surety and after obtaining the usual undertaking.

6. The application stands disposed of.

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. As the Record and proceeding is already received, the paper book is dispensed with.

2. The matter be listed for final hearing after Diwali Vacation.

(MRS.VRUSHALI V. JOSHI, J.)