

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**CIVIL APPLICATION NO.2065 OF 2016
WITH
FIRST APPEAL NO.688 OF 2017**

The New India Assurance Co. Ltd. Applicant
V/s.

Smt.Shayati @ Shanti Ratanlal Bishnoi & Respondents
Ors.

**WITH
INTERIM APPLICATION NO.10543 OF 2024
IN
FIRST APPEAL NO.688 OF 2017**

Sunil Bishnoi Also Known as Bishnoi Sunil Applicants
son of Ratanlal @ Ratanram Bishnoi & Anr.
V/s.

The New India Assurance Co. Ltd., Pune Respondent

Mr.Rahul Singh, for the Applicant.
Mr.Himanshu Takke i/b Mr.M.V. More, for the Respondent and
for the Appellant in FA.

CORAM : ARUN R. PEDNEKER, J.

DATE : 23rd JULY 2024

P.C:-

INTERIM APPLICATION NO.10543 OF 2024

. Heard learned counsel for the Applicant-Claimant.

2. The Application is filed by the Sunil Bishnoi and Subhash Kumar. He points out that the order dated 4th July 2017 in paragraph No.3 has held as under:-

“3. Having regard to the nature of the accident and the fact that the deceased was the sole income earner of the family, I will permit a withdrawal of Rs.50,00,000/- without security and without furnishing undertaking. From this amount of Rs.50,00,0000/-, 1/4th will be kept aside for Respondent No.2 and another ¼ for Respondent No.3 and invested in a fixed deposit in their names. Copies of the fixed deposit receipts will be deposited with the MACT, Pune.”

3. In terms of the paragraph No.3, 1/4th amount is kept for present Applicant No.1 and 1/4th amount for Applicant No.2. He further submits that the Applicant's are now major and as such, they press for withdrawal of the amount which is kept aside.

4. In view of the order passed on 4th July 2017 I am permitting the Applicant Nos.1 and 2 to withdraw the amount on the same Terms and Conditions as stipulated in the order dated 4th July 2017 along with accrued interest thereon till date.

5. The Application is disposed of.

(ARUN R. PEDNEKER, J.)