

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

INTERIM APPLICATION NO. 11386 OF 2024

IN

FIRST APPEAL NO. 1211 OF 2022

Smt. Rajni Gautam More And Ors.

...Applicants

Versus

New India Assurance Company Ltd, Virar And Ors. ...Respondents

....

Ms. Kavita Anchan, i/b Vishal Dhende, for the Applicants.

Mr. Asim S. Vidyarthi, with Ms. Ishita Bhole & Mr. Kissen Biswal, for
the Appellant in FA and for the Respondent in IA/11386/2024.

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CORAM : N.R. BORKAR, J.

DATE : 7th AUGUST, 2024

P.C.:

1. This is an application for modification of the order dated 26.04.2024 passed by this Court in Interim Application No. 14689 of 2023.

2. By the said order, this Court permitted the original claimants to withdraw 50% of amount of compensation with accrued interest on furnishing bank guarantee of nationalized bank.

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3. The learned counsel for the applicants submits that the applicants are not in a position to furnish bank guarantee. Considering the facts and circumstances, it would be appropriate to modify the order dated 26.04.2024 as the amount of compensation is in relation to fatal accidents claim.
4. The Tribunal shall permit the claimants to withdraw 50% amount with accrued interest on furnishing the usual undertaking.
5. The application is disposed of in the aforesaid terms.

(N.R. BORKAR, J.)