



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

Civil Application (CAF) No. 222 of 2024
in

First Appeal No. 440 of 2023

[United India Insurance Co.Ltd., Bhandara through its Regional Manager, Nagpur ..vs.. Smt. Arati
Wd/o Pramod Bhujade and ors.]

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

Court's or Judge's orders

Ms. Achla Kashikar, Advocate for the applicants/respondent nos. 1 to 4
Mr. C. A. Anthony, Advocate for the appellant
Mr. N. R. Bhishikar, Advocate for respondent no. 5

CORAM : ANIL L. PANSARE J.

DATED : 14-03-2024

By the present application, respondent nos. 1 to 4
- original claimants are seeking permission to withdraw
amount of Rs. 30,00,000/- deposited in this Court and
Rs. 82,66,832/- deposited in the trial Court.

Learned counsel for the appellant – insurance
company submits that the challenge is to the extent
of granting enhanced compensation to the tune of
Rs. 30,00,000/- approximately. He thus submits that the
insurance company has not challenged the compensation
granted by the Tribunal to the extent of Rs. 82,00,000/-
approximately.

In view of the above, respondent nos. 1 to 4 –
original claimants are permitted to withdraw amount of
Rs. 82,66,832/- deposited in the trial Court along with
interest accrued thereon upon filing an undertaking that
in case the appeal is allowed, the said amount shall be
repaid with interest at such rate the Court may direct.

The application is allowed in aforesaid terms.

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Heard.

Admit.

Call R & P.

Once R & P is received, the appellant shall file private paper book within eight weeks thereafter.

Learned counsel Mr. Achla Kashikar waives notice for respondent nos. 1 to 4 and learned counsel Mr. N. R. Bhishikar waives notice for respondent no. 5.

Process the appeal in accordance with rules.

(Anil L. Pansare, J.)

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