



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

CIVIL APPLICATION (CAF) NO.545 OF 2024

IN

FIRST APPEAL NO. 829 OF 2022

United India Insurance Co. Ltd., Nagpur

.VS.

Sneha Wd/o. Pandurang Sahare and others

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

Mr B. P. Bhatt, Advocate for appellant

Mr Rahul L Alone, Advocate for respondent Nos. 1 to 3

CORAM : G.A. SANAP, J.

DATE : FEBRUARY 21, 2024.

Heard learned Advocates for the parties.

2. This is an application by respondent No. 3, who has attained majority, for withdrawal of amount of her share. Learned Advocate for the appellant submitted that considering the grounds raised in the appeal memo, the respondent No. 3 may not be allowed to withdraw the amount.

3. It is to be noted that vide order dated 14.09.2023, the respondent Nos. 1 and 2 have been granted permission to withdraw the amount of their share. In my view, therefore, respondent No.3 cannot be denied the benefit of the judgment and award. Accordingly, the application is allowed.

4. The respondent No.3/applicant No. 3 is allowed to withdraw the amount of her share with accrued interest on furnishing usual undertaking to the effect that she will return the said amount in case the appeal is decided against her alongwith interest at the rate that will be determined by the Court.

5. The civil application stands **disposed of**, as withdrawn.

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6. Four weeks time is granted for filing paper book. If the paper book is not filed within four weeks the appellant shall pay cost of Rs.1000/-.

(G. A. SANAP, J.)

Namrata