



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

CIVIL APPLICATION (CAF) NO. 2139 OF 2025

IN

FIRST APPEAL NO. 240 OF 2025

(The Divisional Manager, thr its Legal Manager the New India Assurance Co Ltd Vs. Seems wd/o Rajesh
Khubele and ors)

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

Court's or Judge's orders

Mr. Ashish Paunikar, Advocate for the appellant.

Mr. P.S. Mirache, Advocate for respondent/applicant Nos. 1 to 4.

CORAM : ABHAY J. MANTRI, J.

DATED : 24-06-2025

Heard.

2. Applicants/respondent Nos. 1 to 4 have filed this application for permitting them to withdraw the entire compensation amount deposited by the appellant in this Court, for which learned counsel for the appellant has given no objection for the withdrawal of the 50% amount.

3. Considering the reasons disclosed in the application and upon going through the record, in my view, it would be proper to permit the applicants to withdraw 70% of the amount, along with accrued interest thereon. If the applicants are permitted to withdraw the said amount, it would not cause prejudice to the appellant's rights; therefore, the application is partly allowed accordingly.

4. Registrar (J) is directed to transfer 70% of the compensation amount, along with the accrued interest, proportionate to the shares of applicant Nos. 1 and 4, into their respective bank accounts as per the Award within three weeks upon furnishing the bank

account details to the Registry. Similarly, 70% amount along with the interest accrued thereon in respect of the shares of respondent Nos. 2 and 3 be invested in a fixed deposit in any nationalised bank as per clause 5 of the operative part of the order of the impugned judgment within three weeks.

5. The application is partly allowed in the above terms.

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List the appeal after six weeks.

(ABHAY J. MANTRI, J.)

Belkhede