



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

FIRST APPEAL NO.703 OF 2025

(FIRST Lombard General Insurance Co. Ltd. Thr. Branch Manager, Wardha Road, Nagpur vs. Mrs Dolly
wd/o Rohan @ Laxman Manglani 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 N. J. Patil, Advocate h/f Shri R. D. Bhuibhar, Adv. for the appellant
Shri K. P. Mirache, Advocate for respondent Nos. 1 and 2.

CORAM : ABHAY J. MANTRI, J.

DATED : 28-07-2025

Civil Application No.2599/2025

The applicants-respondent Nos.1 and 2 have filed this application to permit them to withdraw the amount deposited by the appellant for which, learned Advocate for the appellant has strong objection because, as per his contention the applicants are entitled to only Rs.42,00,000/- (Forty Two lakhs) along with interest accrued thereon and not entitled to the amount which is claimed.

2. Having considered the reasons disclosed in the application as well as having gone through the impugned judgment, I do not find any substance in the objection raised by the learned Advocate for the appellant to restrict the applicants to withdraw Rs. 42,00,000/- only. However, in my view, the applicants are entitled to 50% of the compensation amount, along with accrued interest thereon, upon furnishing a usual undertaking to the registry. Hence, the application is partly allowed.

3. The applicants are permitted to withdraw 50% of the compensation amount along with accrued interest thereon on furnishing the usual undertaking.

4. Registrar (Judicial) is directed to transfer 50% of the compensation amount, along with accrued interest thereon, in proportion to the award to the bank account of the applicants on their furnishing a usual undertaking as well as bank account details to the registry.
6. Civil Application is disposed of.

(ABHAY J. MANTRI, J.)