



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

CIVIL APPLICATION (CAF) NO. 2282 OF 2024

IN

FIRST APPEAL NO. 930 OF 2024

(New India Assurance Co. Ltd., Nagpur ..vs.. Vandana wd/o Chandrakant Gajbe and others)

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

Court's or Judge's orders

Mrs. Anvita A. Pande, Advocate for the appellant,
Mr. A.S. Ghatode, Advocate for respondent Nos. 1 to 3,
Mr. N. Lade, Advocate for respondent No. 4.

CORAM : ABHAY J. MANTRI, J.

DATED : 01-07-2025

Applicants/respondents No. 1 to 3 have moved this application to permit them to withdraw the entire compensation amount along with accrued interest thereon. The learned Advocate for the appellant strongly objected to the withdrawal of the said amount.

2. I have gone through the memo of appeal, impugned judgment and award and reasons disclosed in the application. Considering this, I deem it appropriate to permit the applicants/respondents Nos. 1 to 3 to withdraw 75% of the compensation amount, along with accrued interest thereon.

3. Accordingly, the application is partly allowed. The applicants/respondent Nos. 1 to 3 are permitted to withdraw 75% of the compensation amount, out of which 50% of the compensation amount along with accrued interest thereon permitted to withdraw on furnishing usual undertaking before the Registrar (J) and further 25% of the compensation amount along with accrued interest thereon permitted to withdraw on

furnishing a solvent surety to the satisfaction of the Registrar (J).

4. On furnishing the usual undertaking and solvent surety, the Registrar (J) is directed to transfer 75% of the compensation amount along with accrued interest thereon, as per the award, in the bank account of the respective applicants/respondent Nos. 1 to 3 within four weeks on their furnishing bank account details with the registry.

5. The learned Advocate for the applicants/respondent Nos. 1 to 3 submitted that applicant No. 2, Kunjal, is studying abroad and, therefore, her personal appearance for verification may be dispensed with. His prayer is granted as prayed. The amount of her share shall be transferred to her bank account.

(ABHAY J. MANTRI, J.)

adgokar