



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

CIVIL APPLICATION NO (CAF) 2365 OF 2025

AND

CIVIL APPLICATION NO (CAF) 666 OF 2025

IN

FIRST APPEAL ST NO. 670 OF 2025

(The Cholamandalam MS Gen Ins Co Ltd Vs. Mina wd/o Manoj Tiwari 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. V.D. Akhase, Advocate h/f Mr. Amit Kukday, Advocate for the applicant.
Ms. P. D. Tekade, Advocate for respondent Nos. 1 to 3.

CORAM : ABHAY J. MANTRI, J.

DATED : 08-07-2025

Heard.

2. Applicants/respondent Nos. 1 to 3 have filed this application for permitting them to withdraw the compensation amount deposited by the appellant Insurance Company in the Court. Learned counsel for the appellant has given no objection to withdraw the 50% compensation amount, subject to furnishing the usual undertaking to the satisfaction of the Registrar.

3. Having considered the above facts and reasons disclosed in the application, as well as having gone through the judgment and award of the learned Tribunal, I am of the view that the applicants are entitled to withdraw 75% of the compensation amount deposited in this court, along with accrued interest thereon as under. The applicant is entitled to withdraw the 50% compensation amount, subject to furnishing the usual undertaking, and the remaining 25% on furnishing a solvent surety/security to the satisfaction of the Registrar. Accordingly, the application is partly allowed.

4. The Registrar (J) is directed to transfer 75% of the compensation amount to the respective applicants' bank account, as per the Award, within four weeks, subject to furnishing the usual

undertaking and a solvent surety to the satisfaction of the Registrar and upon their furnishing bank account details to the Registry.

CIVIL APPLICATION NO (CAF) 666 OF 2025

Heard.

2. Issue fresh notice to respondent No. 4, returnable after four weeks.

(ABHAY J. MANTRI, J.)

Belkhede