



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

CIVIL APPLICATION CAF No.2654/2024

IN

FIRST APPEAL NO.393 OF 2019 (D)

SMT. JAYA WD/O SADASHIV SURJUSE AND OTHERS

VS

SOPAN S/O WASUDEVRAO JAYLE AND ANOTHER

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

Court's or Judge's order

Ms Shreya Bhagat, h/f Mr. P.R. Agrawal, Advocate for the appellant/s
Mr. R.D. Bhuibhar, Advocate for the respondent No.2

CORAM : SANDIPKUMAR C. MORE, J.

DATE : 10th January, 2025

1. Heard rival submissions.
2. The appellants/claimants have preferred this application for permission to withdraw the amount of compensation as deposited by the respondent No.2/Insurance Company.
3. The learned counsel for the respondent No.2/Insurance Company pointed out that the appellant Nos. 3 and 4 are still minors and therefore, the amount of compensation granted to them cannot be released at this juncture.
4. Admittedly, the appeal is already disposed of and the respondent No.2/ Insurance Company has deposited the entire amount of compensation. However, it appears that though the applicant/claimant No.2 has attained the majority, but the applicant Nos. 3 and 4 are

still minors.

5. As such, the applicant Nos.1, 2 and 5 are only permitted to withdraw their respective shares of compensation amount as apportioned by the learned Tribunal along with interest accrued thereon till date, subject to payment of deficit court fees on the enhanced amount of compensation.

6. The amount falling to the shares of the applicant Nos. 3 and 4 be invested in Fixed Deposit Receipt (FDR) in any nationalized bank till they attain the majority. After attaining the majority, they are at liberty to withdraw their respective amount of compensation, without further reference to this Court.

7. The application is accordingly **disposed of**.

(SANDIPKUMAR C. MORE, J.)