

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CIVIL APPLICATION NO. 3167 OF 2023 IN
FIRST APPEAL NO. 113 OF 2018 (D)

The Oriental Insurance Company Ltd.

..vs..

Alkabai wd/o Narayan Chauriwar and ors.

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

Court's or Judge's orders

Shri A.W. Paunikar, Advocate for the appellant.

Ms Aditi Tinmande, Advocate h/f Shri K.S. Motwane, Advocate
for the respondent no.1.

CORAM: SANDIPKUMAR C. MORE, J.
DATE : 23/01/2025.

Heard rival submissions.

2. The respondent no.1/Claimant is seeking withdrawal of entire amount of compensation with interest, which is deposited by the Appellant/Insurance Company.

3. The learned Counsel for the respondent no.1 submits that the appeal of the Insurance Company is already dismissed for want of paper book.

4. However, the learned Counsel for the Appellant /Insurance Company pointed out that the appeal is, now, restored back. According to him, the present respondent no. 1 was already permitted to withdraw 50% of the deposited compensation amount by furnishing solvent surety as per order dated 20.12.2019.

5. However, despite passing of such order, there is no record showing that the aforesaid 50% amount of compensation was withdrawn by the respondent no.1.

6. Under such circumstances, the present

application stands disposed of.

7. The respondent no.1 is at liberty to withdraw the 50% amount of compensation as per the previous order dated 20.12.2019.

8. The application stands disposed of accordingly.

(SANDIPKUMAR C. MORE, J.)

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