



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

Civil Application (CAF) No. 4 of 2024
in
First Appeal No. 179 of 2024

The Cholamandalam M.S. General Insurance Company Limited, Nagpur
through Branch Manager, Tumsar, Bhandara
Versus
Durga @ Sheela Wd/o Dharamraj Baraskar and others

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Mrs. Mrunal Naik, Advocate for the appellant.
Shri S.R.Burade, Advocate h/f Shri C.B.Bailmare, Advocate
for the respondent nos. 1 to 5 and 7.

**CORAM : NITIN B. SURYAWANSHI &
PRAVIN S. PATIL, JJ.**

DATED : 25th FEBRUARY, 2025.

Heard.

2. This application is filed by claimants for withdrawal of compensation amount deposited by the Insurance Company. Applicants/claimants pray for withdrawal of 50% of deposited amount.
3. Learned advocate for appellant/Insurance Company strenuously opposed the application stating that appeal is filed

challenging the higher quantum awarded by the Tribunal. According to her, claimants are entitled only for Rs.11,43,000/-. However, the Tribunal has awarded excessive amount of Rs.58,46,000/-.

4. Accident has taken place in the year 2019 and claimants have not received any amount, since then. In this view of the matter, we allow the application and permit applicants to withdraw half of the amount deposited by appellant, along with accrued interest thereon, on furnishing usual undertaking to the satisfaction of the Registrar (Judicial).

[PRAVIN S. PATIL, J.]

[NITIN B. SURYAWANSHI, J.]