



8.caf.15.2025 in fa.1196.2009.odt

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

CIVIL APPLICATION (CAF) NO. 15 OF 2025

IN

FIRST APPEAL NO. 1196 OF 2009 (DECIDED)

(M/s Cholamandalam MS General Insurance Company Ltd. V/s Karamsibhai Ratnasi Patel & Ors.)

Office Notes, Office Memoranda of Coram, Appearances, court's orders or directions and Registrar's orders	Court's or Judge's orders
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Ms. Alpana Ingolikar, Advocate h/f Ms. Mrunal Naik,
Advocate for Applicant/Appellant.

Mr. V. R. Thote, Advocate for Respondent Nos.1 to 4.

CORAM : SANDIPKUMAR C. MORE, J.

DATE : JANUARY 07, 2025.

. Heard rival submissions.

2. The Respondent Nos.1 to 4, who are the original Claimants, have filed this Application for permission to withdraw the remaining amount of compensation along with the interest.

3. Admittedly, the present Appeal filed by the Insurance Company has been dismissed on merit by this Court under Judgment dated 8/10/2024. The record shows that Appellant/Insurance Company had already deposited an amount of Rs.1,00,000/- with this Court, out of which, the present Respondent Nos.1 to 4 already withdrew 50% amount as per order dated 3/8/2011. As such, 50% amount of the aforesaid deposited amount of Rs.1,00,000/- is still lying with this Court.

4. The learned Counsel for Appellant/Insurance Company did not raise any objection for withdrawal of remaining amount.

5. In view of the same, the Civil Application stands allowed.

6. The Respondent Nos.1 to 4 are permitted to withdraw remaining amount along with the interest accrued thereon till date in equal proportion.

7. R & P be sent back immediately.

(SANDIPKUMAR C. MORE, J.)

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