



28.caf.3736.2024 in fa.163.2024.odt

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

CIVIL APPLICATION (CAF) NO. 3736 OF 2024

IN

FIRST APPEAL NO. 163 OF 2024

(The New India Assurance Company Ltd. V/s Smt. Manda Dattatraya Palaskar & 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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Mr. M. B. Joshi, Advocate for Appellant.

Mr. K. J. Topale, Advocate for Respondent Nos.1 to 5.

CORAM : SANDIPKUMAR C. MORE, J.

DATE : JANUARY 13, 2025.

. Heard rival submissions.

2. The present Application is filed by the Respondent Nos.1 to 5, who are the Original Claimants, for withdrawal of entire amount of compensation, which is deposited by the Appellant/Insurance Company in this Court.

3. Though the learned Counsel for Appellant/Insurance Company strongly opposed for withdrawal, but considering the quantum of compensation granted by the learned Motor Accident Claims Tribunal, Akola, it would be appropriate to permit the Respondent Nos.1 to 5 to withdraw 50% of the deposited compensation amount as per the apportionment made by the learned Tribunal under the impugned Judgment along with the proportioned interest accrued thereon, on filing usual undertaking

to the satisfaction of the Registrar (Judicial) of this Court. The remaining amount be deposited in any Nationalized Bank on the basis of yearly renewal during the pendency of this Appeal.

4. The Civil Application stands disposed of accordingly.
5. Stand over to 10th February, 2025.

(SANDIPKUMAR C. MORE, J.)

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