

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

**CIVIL APPLICATION (F) NO.732 OF 2022**

**IN**

**FIRST APPEAL NO.1289 OF 2017**

[United India Insurance Co. Ltd. .V/s.. Smt. Alka wd/o Rajendra @ Pradip  
Jawanjal and Ors.]

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

*Court's or Judge's order*

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Ms A. Mategaonker, Advocate for Applicant/Appellant.  
Mr A. P. Adhe, Advocate for Respondent Nos.1 to 4.

**CORAM : URMILA JOSHI-PHALKE, J.**

**DATE : 10<sup>th</sup> APRIL, 2023.**

1. Present application is by the respondent Nos.1 to 4 for seeking permission for withdrawal of amount.

2. As per the contention of the original claimants, respondent No.1, who is widow of the deceased, is suffering from cancer, and therefore, she is in dire need of amount for her medical expenses.

3. The said order is strongly opposed by Ms Mategaonker, learned Advocate appearing for appellant – Insurance Company on the ground that 50% of the amount of compensation is already withdrawn. The appellant has challenged the quantum of compensation. If the appellant succeeds in the appeal, it will be difficult for appellant to recover the amount.

4. In view of the reasons mentioned in the application and considering the objection raised, it will be appropriate to permit the respondent Nos.1 to 4 to withdraw the 25% of the balance amount alongwith accrued interest on usual undertaking.

5. The amount be disbursed on due identification and verification.

6. Civil application is disposed of accordingly.

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7. Stand over after three weeks.

**JUDGE**