

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

BENCH AT AURANGABAD

961 CIVIL APPLICATION NO. 5121 OF 2015

IN FAST/17726/2012

KAMALBAI BHIMRAO KAPADE AND ANOTHER

VERSUS

SHAILENDRA NATHULAL PATNI AND OTHERS

...

Advocate for Applicants : Bhokarikar Madhav M

Advocate for Respondent No.1: Mr. S. S.Bora

Advocate for Respondent No.2 : Mr. Dhananjay Deshpande

CORAM : S. V. GANGAPURWALA, J.

DATE : 9th October, 2015

PER COURT :

1. Mr Bhokarikar, the learned counsel submits that the applicants be allowed to withdraw the amount as per the apportionment made by the tribunal. Mr. Bora, the learned counsel submits that the insurance company has been wrongly exonerated.

2. Taking best case of the original appellant the same would be against the insurance company. The claim of applicant No. 2 is rejected.

3. Considering the above applicant No.1 Sau. Kamala is allowed to withdraw an amount to the extent of her 1/7th Share. Civil Application is disposed of. No cost.

(S. V. GANGAPURWALA, J.)

JPC