

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

FIRST APPEAL NO. 25 OF 2000

1. Smt. Sindhubai w/o Mahadu Patil,
Age: 45 years, Occ: Household,
2. Rajmal Mahadu Patil,
Age: 23 years, Occ: Nil,
3. Himmat s/o Mahadu Patil,
Age: 26 years, Occ: Labour,

All R/o. Mhasle, Post Takarkhede,
Tq. Amalner, Dist. Jalgaon.

...Appellants

versus

1. Sau. Kantabai w/o Sudhakar Patil,
Age: 35 years, Occ: Household,
R/o. Indraprastha Nagar,
Jalgaon, Tq. & Dist. Jalgaon.
2. The New India Assurance Co. Ltd.,
Jalgaon.
3. Motilal Dagdu Chaudhari,
Age: 48, R/o. Amalner,
Dist. Jalgon.
(deleted vide order on Exh.43)

...Respondents

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Mr. G.V. Wani, Advocate for appellants
Mr. V.Y. Patil, Advocate for respondent No. 1.
Mr. M.M. Ambhore, Advocate for respondent No. 2.

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CORAM : N.W. SAMBRE, J.

DATE : 26th JUNE, 2015

ORAL JUDGMENT :

After hearing respective Counsel for some time on final hearing, it is noted that the appellants to the appeal are original

claimants in Motor Accident Claims Petition No. 69 of 1997. The Motor Accident Claims Tribunal, Jalgaon by an order dated 01/07/1999 while dismissing the claim, directed that the amount of Rs. 25,000/- deposited by the Insurance Company, be returned to the insurance company and if paid to the appellants, the appellants to refund the same.

2. Learned Counsel for the appellants, upon instructions, makes a statement that the amount of Rs. 25,000/- deposited in M.A.C.P. No. 69 of 1997 before M.A.C.T. Jalgaon be permitted to be withdrawn by the insurance company pursuant to the order of tribunal. He has also placed on record the notice issued by the tribunal intimating the appellants that the amount of Rs.25,000/-, which was deposited along with interest accrued thereon, which comes to Rs.79,085/-, be withdrawn.

3. As such, present appeal stands disposed of, with liberty to the insurance company to withdraw the amount referred above lying with Motor Accident Claims Tribunal, Jalgaon in the above referred claim proceedings.

[N.W. SAMBRE, J.]