

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

CIVIL APPLICATION NO. 5942 OF 2015
IN
FIRST APPEAL NO. 58 OF 2015

Mumtaj Anis Shaikh and Ors.
Versus
National Insurance Company and Ors.

.....
Mr S. S. Shete, Advocate for the applicants
Mr S. V. Kulkarni, Advocate for respondent No. 1.
.....

CORAM : **S. V. GANGAPURWALA, J.**
DATE : **11TH SEPTEMBER, 2015.**

PER COURT:

. This is an application for withdrawal of the amount.

2. Mr Kulkarni, learned Counsel for respondent No. 1, states that the Tribunal while awarding the compensation amount has not considered the income in a proper perspective and has awarded exorbitant amount of compensation. So also, the negligence has not been considered.

3. The challenge would be to the extent of quantum only. Considering the above, there would be no impediment to allow claimants No. 1 to 3 and 5 to 6 to withdraw 50% of the amount deposited, in proportion, as awarded by the Tribunal.

4. In light of that, claimants No. 1, 2, 3, 5 and 6 are allowed to withdraw 50% of the amount of their share in proportion as awarded by the Tribunal.

5. Civil Application stands disposed of.

[S. V. GANGAPURWALA, J.]

sgp