

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

CIVIL APPLICATION NO.4523 OF 2015 IN
FIRST APPEAL ST.NO.1585 OF 2014

Shailaja w/o Dinkar Kulkarni
and four others

.. Applicants

Versus

The Oriental Insurance Co.Ltd.,
Nanded, through its Divisional
Office at Aurangabad

.. Respondents

Mr H.I. Pathan, Advocate for applicants

Mr S.S. Wagh, Advocate h/f Mr A.S. Deshpande, Advocate for respondent
No.1

CORAM : N.W. SAMBRE, J.

DATE : 17th April 2015

PER COURT

1. The prayer for withdrawal of amount is objected by learned Counsel for the Insurance Company on the ground that there was breach of policy conditions.

2. While issuing notice, the appellant - Insurance Company had deposited an amount of Rs.7,80,512 and the applicant No.5 is shown to be minor.

3. In view of above, the applicants are permitted to withdraw an amount of Rs.5,00,000/- (Rs.Five lacs) from this Court. The remaining amount deposited by the Insurance Company be kept in fix deposit in the Nationalised Bank in the name of applicant No.5 - Swayam Dinkar Kulkarni.

4. Civil Application stands allowed in above terms.

(N.W. SAMBRE, J.)