

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

**CIVIL APPLICATION NO. 9893 OF 2015
IN FA/1179/2014**

**YASHODABAI DATTATRAYA NAIKAND OTHERS
VERSUS
THE NEW INDIA ASSURANCE COMPANY LTD. AND ANOTHER**

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Mr V P. Golewar, Advocate for the applicants
Mr A. B. Kadethankar, Advocate for respondent No. 1
Mr V. P. Raje, Advocate for respondent No. 2

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

PER COURT:

. This is an application for withdrawal of the amount.

2. Mr Kadethankar, learned Counsel for respondent, opposes the application on the ground that the vehicle was not identified in the accident.

3. Today, the award is in favour of the applicants. At the same time, the interest of the Insurance Company is required to be safeguarded. Considering the above, I pass the following order.

ORDER

- (i) The claimant No. 1 is allowed to withdraw Rs. 1,00,000/- on submitting solvent security / surety of the like amount.

- (ii) The remaining amount be kept in Fixed Deposit in any of the Nationalized Bank.
- (iii) Liberty to move after claimants No. 2 and 3 attain the majority.

Civil Application disposed of.

[S. V. GANGAPURWALA, J.]

sgp