

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

**CIVIL APPLICATION NO. 11765 OF 2014
IN
FIRST APPEAL NO. 953 OF 2014**

Ambika Bapu Wagaskar and ors. ...Applicants

versus

Bajaj Allianz General Insurance Co. Ltd.
and ors. ...Respondents

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Mr. R. R. Karpe Advocate h/f Sandeep S. Deshmukh, Advocate for applicants.

Mr. Mohit Deshmukh, Advocate h/f Mr. S. G. Chapalgaonkar, Advocate for respondent No. 1.

Mr. N. B. Patekar, Advocate h/f Mr. N. B. Narwade, Advocate for respondent No. 5.

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CORAM : N.W. SAMBRE, J.

DATE : 24TH APRIL, 2015

ORAL ORDER :

. It is the contention of the claimant through Mr. Karpe, learned Counsel that the amount that was permitted to be withdrawn, pursuant to the order dated 08/05/2014, so as to meet day to day expenses after only bread winner lost his life in the accident was not sufficient so as to meet born ends of the family. According to him, without touching the fixed deposit, remaining amount be permitted to be withdrawn.

2. Learned Counsel for the Insurance Company has not objected.

3. In view of above, the amount other than the amount of Rs.30,00,000/- in the fixed deposit, be permitted to be withdrawn on the same terms as is ordered on 08/05/2014 by this Court. The civil application stands allowed.

[N.W. SAMBRE, J.]