

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 15915 OF 2015
IN FA/1230/2015

BHARTI BALASAHEB LAMBE AND OTHERS
VERSUS
THE NEW INDIA ASSURANCE CO. LTD. THR ITS MANAGER LEGAL HUB SHARDA
ASHOK MANDVEKAR

...

Advocate for Applicants : Mr. Sadashiv S. Shete
Advocate for respondent No.1 : Mr. M.M. Ambhore
Advocate for respondent Nos. 2 to 4 : Mr. N.B. Narwade.

CORAM : A.M. BADAR, J.
DATE : 8th DECEMBER, 2015.

PER COURT:

1] Heard the learned counsel appearing for the Applicant/original claimants and the learned counsel for the Non applicant No.1- Insurance Company.

2] By this application, Appellants - original claimants are seeking withdrawal of the amount as per the award passed by the learned Motor Accident Claim Tribunal, Ahmednagar. The award is regarding death claim. Applicants are dependent legal representatives. Learned counsel for the applicants submits that applicants are only seeking withdrawal of half of the amount under the Award.

3] The learned counsel for the non-applicant - Insurance Company submits that by directing applicants to furnish solvent security they be permitted to withdraw the amount of Award.

4] Considering the fact that the amount is deposited towards compensation on account of death of one Balasaheb Bhausaheb Lamb,

applicants are permitted to withdraw half of the amount under the Award on furnishing personal undertaking that in the event of allowing the appeal they shall refund the amount withdrawn by them within a period of one month.

5] The amount so permitted to withdraw shall be withdrawn as per the order regarding apportionment and disbursement passed by the learned member, MACT, Ahmednagar.

6] Civil application stands disposed of.

[A.M. BADAR, J]

grt/-