

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO.10731 OF 2014
IN
FIRST APPEAL NO. 1230 OF 2014

Shivraj S/o Hanmant Narwad & ors.

...Applicants

Versus

The New India Assurance Co. Ltd. & ors.

...Respondents

Mr Ram S. Shinde, Advocate for applicants;
Mr A. B. Gatne, Advocate for respondent No. 1

CORAM : N.W. SAMBRE, J.

DATE : 10th April, 2015

ORAL ORDER :

The application is objected by the insurance company for withdrawal of the amount deposited by it under the award, on the ground that the involvement of the vehicle in the accident itself is under a cloud. According to the learned Counsel for the respondent, in view thereof, the liability of the insurance company is under dispute.

2. Having regard to the observations made by the Tribunal while allowing the claim and in the light of the objection raised by the learned Counsel appearing on behalf of the respondent, it will be in the fitness of the things that the applicants are permitted to withdraw the amount to the

extent of 75% of the amount deposited by the insurance company, subject to execution of indemnity bond to the satisfaction of the Registrar (Judicial).

3. Civil Application stands allowed in above terms.

(N.W. SAMBRE, J.)

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