

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

BENCH AT AURANGABAD

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**1081 CIVIL APPLICATION NO. 13537 OF 2015
IN FAST/33681/2014**

**SUREKHA NAMDEV MODHVE AND THERS
VERSUS
NEW INDIA ASSURANCE CO. LT. AND ANOTHER**

...

**Advocate for Applicants : Mr. Gaware Niteen V.
Advocate for Respondent/appellant : Mr. D. P. Deshpande
Advocate for Respondent No.2 : Mr. R. K. Temnar...**

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CORAM : S. V. GANGAPURWALA, J.

DATE : 16th October, 2015

PER COURT :

1. This is an application for withdrawal of the amount deposited by the insurance company. It is submitted by Mr. Deshpande, the learned counsel for the appellant that the appeal is limited to the extent of quantum and negligence. The insurance company does not have any dispute to the extent of Rs.20 lakhs.
2. Considering the above, Applicant No.1 is allowed to withdraw Rs.6,00,000/- without any security.
3. Applicants 2 and 3 are minor. Applicant No.5 is dead. Question of withdrawal of further amount will be considered at the time of admission of appeal. Civil application disposed of.

(S. V. GANGAPURWALA, J.)

JPC