

**FARAD CONTINUATION SHEET  
IN THE HIGH COURT OF JUDICATURE AT BOMBAY.  
CIVIL APPELLATE JURISDICTION.**

**CIVIL APPLICATION NO. 1516 OF 2014  
IN  
FIRST APPEAL NO. 1241 OF 2011**

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| Office Notes, Office Memoranda of Coram, Appearances, court's orders or directions and Registrar's orders | Court's or Judge's orders |
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Mr. Siddheshwar Kalel i/b Pol Legal Juris for the applicant.

Ms. Yogita Deshmukh i/b M. M. Sathaye for the respondent.

**CORAM : K. K. TATED, J.**

**DATED : 13/02/2015.**

**PC.:**

. Heard learned Counsel for the parties.

2 This application is preferred by original claimants for withdrawal of amount deposited by the appellant insurance company pursuant to the order passed by this Court.

3 The learned Counsel for the applicants submits that in accident which occurred on 16.10.2008 applicant no.1 lost her husband. On the date of accident, he was 50 years old. He further submits that at that time, the deceased was working in a shop of Ajit Traders, Satara as Manager and his monthly salary was Rs.10,500/-. On the basis of this, the applicants claimants filed application under

Section 166 of M.V. Act for compensation of Rs.12,00,000/-. He submits that the Tribunal considering the wages of unskilled workers at the rate of Rs.200/- per day awarded compensation of Rs.6,24,000/- with interest. He submits that the applicant no.1 is unemployed whereas, applicant nos. 2 and 3 are taking education. They are also unemployed. He further submits that now, applicant no.1 required the amount to perform the marriages of applicant nos. 2 and 3. For that purpose, she requires amount.

4 On the other hand, the learned Advocate Ms.Deshmukh appearing on behalf of insurance company submits that in the present proceeding Advocate Mr. Sathey is appearing on behalf of appellant. Hence, matter be kept back. The said request is rejected by this Court.

5 Considering the submissions made by learned counsel for the applicant and averments made in civil application particularly in paragraphs 4 & 5, I am satisfied that applicants have made out the case for allowing the civil application.

6 Hence, the following order:

i) Applicants original claimants are entitled to withdraw the amount with accrued interest, if any, without furnishing any security as under:

a) Applicant no.1 Smt. Vandana Sandesh Pawar is entitled to withdraw sum of Rs.75,000/-.

b) Applicant no.2 Mr. Jitendra Sandesh Pawar is entitled to withdraw sum of Rs.75,000/-.

c) Applicant no.3 Ms. Pallavi Sandesh Pawar is entitled to withdraw sum of Rs.75,000/-.

7 Civil Application is disposed of accordingly.

**(K.K.TATED, J.)**