

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.4208 OF 2015
IN
FIRST APPEAL st. NO.2654 OF 2015

Ms.Manda Gorka Jadhav & Ors. ... Applicants

IN THE MATTER BETWEEN

The Manager,
The L & T Insurance Company ... Appellant
Vs.

Ms.Manda Gorka Jadhav & Ors. ... Respondents

Mr.Ajit J. Kenjale for the Applicants
Mr.S.S. Deshmukh for Respondent Nos.1 to 5

CORAM: MRS.MRIDULA BHATKAR, J.

DATE: 18th DECEMBER, 2015

P.C.:

1. This is an application for withdrawal of the amount deposited by the insurance company i.e., principal amount of Rs.11 lacs plus interest totalling to Rs.12,36,842/-. The learned Counsel for the applicants submits that the applicants are a widow and four children who were dependent on the deceased.

2. The learned Counsel for the insurance company is present and opposes the application. He submitted that the main challenge to the impugned judgment and award is mainly on the point of quantum.

3. Perused the relevant portion of the judgment. It is a death claim. In view of the submissions of the learned Counsel for both the sides, the applicants are allowed to withdraw an amount of Rs.6 lakhs. Accordingly, the applicant No.1 widow is allowed to withdraw Rs.2 lakhs and the other 4 applicants i.e., the children are allowed to withdraw Rs.1 lakh each.
4. Civil Application is disposed of accordingly.

(MRIDULA BHATKAR, J.)