

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

13 CIVIL APPLICATION NO. 2258 OF 2016
IN FA/3337/2015 WITH CA/16207/2015 IN FA/3337/2015

SAVITRA BABASAHEB PAWAL AND OTHERS
VERSUS
UNITED INDIA INSURANCE CO. LTD. AND OTHERS

Shri. Mohit R. Deshmukh Advocate, for applicant.

Shri. S.R. Bagal, Advocate, for respondent No.1.

CORAM: T.V. NALAWADE, J.

DATE : 3rd MARCH 2016

ORDER:

1) The application is filed for permission to withdraw the amount of compensation by the original claimants. Learned counsel for the insurance company strongly objected by contending that the driver of the jeep which was insured with the company was not holding licence to drive the jeep. This Court has considered the defence. This Court has considered the reasoning given by the Tribunal on this point and on the point of quantum. This Court holds that permission needs to be granted to withdraw the amount subject to undertaking.

2) In the result, the application is allowed. Amount is to be disbursed as per the award of the Tribunal subject to giving undertaking by the claimants.

Sd/-
(T.V. NALAWADE, J.)

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