

FARAD CONTINUATION SHEET NO.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD.

Office Memoranda of appearance, Court's orders or directions and Registrar's orders.	Notes, of Coram, Court's orders or	Office Coram, Court's orders or	Court's or Judge's orders.
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CIVIL APPLICATION NO. 1868 OF 2016
IN FA/3205/2015 WITH CA/15745/2015 IN FA/3205/2015

USHA ANIL BADGUJAR AND OTHERS
VERSUS
THE NATIONAL INSURANCE CO. LTD. AND ANR

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Advocate for Applicants : Mr. Vishnu B. Madan.
Advocate for Respondent No.1: Mr. V. N. Upadhye.

CORAM: T. V. NALAWADE, J.
DATED: 15th FEBRUARY, 2016.

PER COURT:

1. The application is filed for permission to withdraw the compensation amount. Both the sides are heard.
2. Considering the nature of defence, this Court holds that disbursement of the amount needs to be made after taking undertaking from the claimants.
3. It appears that after the decision given by the Tribunal, Devidas, the father of the deceased died. He is survived by his widow i.e. Sushilabai. Copy of death certificate of Devidas is produced. In view of this circumstance, the amount awarded to Devidas is to be

given to Sushilalabi, his widow. The disbursement of the remaining amount is to be made as per the Award. The amount of Usha is to be given to her and the amount of minor sons of deceased viz. Aniket and Yash is to be kept in fixed deposit in any nationalised bank.

4. In view of the apprehension of the appellant insurance company it is made clear that if the compensation amount is reduced it will be presumed that the amount already disbursed was in favour of all the claimants as the widow of the deceased, who is also mother of the two minors, is to act as next friend of the minors. Application is disposed of in those terms.

(T. V. NALAWADE, J.)

Dt.15/02/2016.
ans/1868