

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

**CIVIL APPLICATION NO. 1947OF 2016
IN
FIRST APPEAL NO. 2284 OF 2015**

Prayagbai Babasaheb Jadhav & Ors. **APPLICANTS**

V E R S U S

United India Insurance Co. Ltd.
& Anr. **RESPONDENTS**

.....

Mr. A.M.Gaikwad, Advocate for Applicants.

Mr. S.S.Rathi, Advocate for R.No. 1.

.....

CORAM : T.V.NALAWADE, J.

DATE : 17th FEBRUARY, 2016

ORAL ORDER :-

. The application is filed by the claimants for permission to withdraw the amount.

2. Learned counsel for insurance company has strongly opposed the application by contending that the deceased was a person as fare paying passenger. His risk is not covered.

3. This Court has gone through the reasoning given by the Tribunal.

4. In view of the reasoning given by the Tribunal, permission to withdraw the amount needs to be granted.

5. Civil Application is allowed. Amount is to be disbursed subject to the undertaking given by the claimant. Disbursement of the amount be made to the claimants as per the Award of the Tribunal by account payee cheque.

[T.V.NALAWADE, J.]