

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

959 CIVIL APPLICATION NO. 2530 OF 2016
IN FAST/13327/2015

RANI SOMNATH ALANDE AND OTHERS
VERSUS
M/S. SHRIRAM GENERAL INSURANCE COMPANY LTD. AND ANR

...

Advocate for Applicants : Mr. Veer Shrikant T.
Advocate for Respondents : Mr. S. G. Chapalgaonkar

CORAM : V. K. JADHAV, J.

DATE : 11th March, 2016

PER COURT :

1. Heard both sides.
2. Learned counsel for the applicants submits that the widow alongwith her minor children and the aged parents preferred the claim petition on account of accidental death of bread earner of the family. The learned counsel submits that the applicants may be permitted to withdraw the entire amount under the award.
3. Learned counsel appearing for respondent No.1 submits that the tribunal has considered the pension amount of the deceased as well as his salary which he was getting from private employer on his retirement from Army for assessing compensation.
4. Considering the rival submissions, in my opinion, following order would meet the ends of justice:

O R D E R

- i. The applicants hereby permitted to withdraw 75% of the amount of compensation deposited by the respondent No.1 in this Court on condition of filing undertaking before this Court to the satisfaction of the Registrar(Judicial).
- ii. The said 75% amount shall be equally distributed amongst the claimants. However, the amount falling to the share of Claimants/applicant Nos. 2 and 3 shall be kept in Fixed Deposit for a period of three years in any nationalized Bank. The applicant No.1, being guardian of the minors/applicant Nos.2 and 3, is permitted to withdraw interest on the said F.D.R., quarterly.
- iii. Civil application is accordingly disposed of.

(V. K. JADHAV, J.)

JPC