

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

949 CIVIL APPLICATION NO. 2144 OF 2016
IN FA/1968/2015 WITH CA/2145/2016 IN FA/1968/2015
WITH CA/9314/2015 IN FA/1968/2015

ANJANA BHAU JADHAV AND ANR
VERSUS
THE MANAGER, NATIONAL INSURANCE CO. LTD. AND ORS

Shri. Abhijeet C. Darandale, Advocate, for applicants.

Shri. S.P. Chapalgaonkar, Advocate, for respondent No.1.

CORAM: T.V. NALAWADE, J.

DATE : 23rd FEBRUARY 2016

ORDER:

1) The application is filed by the original claimants for permission to withdraw the compensation amount. Both the sides are heard.

2) It appears that the tractor and trolley involved in the accident were insured with two different insurance companies. Only one insurance company has challenged the decision. The issue of the claimant aged 15 years died in the accident. In view of these circumstances this Court

holds that permission needs to be granted to the present applicants to withdraw amount of Rs.2.12 lakh along with interest from this Court. It is made clear that there will be liberty to the original claimants to proceed against other insurance company as the other insurance company has not challenged the decision of the Tribunal. To that extent the order of stay granted by this Court is modified. All other applications stand disposed of.

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

rs1