

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

WRIT PETITION NO. 10406 OF 2015

Annapurna wd/o Vikas Tapghale
Age: 27 years, Occu.: Household,
R/o Methi, Tq. Ahmedpur, Dist. Latur.
At present r/o Banwas,
Tq. Palam, Dist. Parbhani.

..PETITIONER

VERSUS

1. Govind Bapurao Shete
Age: Major, Occu. Business,
R/o Loha, Tq. Loha, Dist. Nanded.
2. The Reliance General Insurance Co. Ltd.
Through its Branch Manager,
570, Reactive Her House,
Indo Origin, Elect. Ltd. Naisum
Cross Road, Next to Royal Indus,
Wadala (West), Mumbai.
3. Laxman Rama Tapghale
Age: 51 years, Occu.: Agri.,
R/o Methi (Ramwadi), Tq. Ahmedpur,
Dist. Latur.
4. Jijabai Laxman Tapghale
Age: 50 years, Occu.: Household,
R/o Methi (Ramwadi), Tq. Ahmedpur,
Dist. Latur.

..RESPONDENTS

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Mr. M.P. Kale, Advocate for petitioner.
Mr. S.G. Chapalgaonkar, Advocate for Respondent No.2.

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CORAM : T.V. NALAWADE, J.
DATED : 14th DECEMBER, 2016

ORAL JUDGMENT :

1. Rule. Rule made returnable forthwith. Heard learned Counsel for petitioner and learned Counsel for insurance company by consent for final disposal.

2. The proceeding is filed to challenge the order made in M.A.C.P. No. 2 of 2011 passed by the Member of M.A.C.T., Gangakhed. The Tribunal of Gangakhed has directed to keep in fixed deposit amount of Rs. 2,50,000/- awarded to present petitioner, for five years. The petitioner is not allowed to even collect the interest of that amount.

3. Learned Counsel for petitioner submitted that the petitioner is aged about 27 years and she wants to invest the amount at place where she can make some money and she may start some business with this money. In view of this submission and as the petitioner is major, this Court holds that petitioner needs to be allowed to withdraw the entire amount.

4. In the result, petition is allowed. Order made by the Tribunal by which the relief was refused is hereby set aside. The application filed by the present petitioner to give amount to her is allowed. Rule made absolute in those terms.

(T.V. NALAWADE, J.)

SSD