

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.163 OF 2014
IN
FIRST APPEAL NO.70 OF 2015

Kavita Dhanpal Chougule and Others ... Applicants

In the matter of

Bajaj Alliance General Insurance
Company Limited

... Appellant

vs.

Kavita Dhanpal Chougule and Others ... Respondents

Mr. N.Y. Chavan, for the Applicants.

Ms. Yogita Deshmukh i/b. Mr. M.M. Sathaye, for the Appellant.

CORAM: **MRS.MRIDULA BHATKAR, J.**

DATE: **8th JANUARY, 2016**

P.C.:

. The learned counsel for the Applicants submits that the Insurance Company has deposited Rs. 5,33,000/- before the M.A.C.T., Sangli. He submits that till today the claimants have not withdrawn any amount except no fault liability which was received by them.

2. The learned counsel for the Insurance Company is present. She opposes the claim as the Insurance Company has good merit in the Appeal.

3. It is a death claim and the original claimant is a widow having two daughters and one son. So also the applicant Nos. 5 and 6 are the old parents.

4. In view of this, the applicants are allowed to withdraw 50% of the amount which the Insurance Company is liable to pay on undertaking before the trial Court. Out of 50% of the amount, the 50% amount is to be paid to Respondent Nos. 5 and 6.

5. Accordingly the civil application stands disposed of.

(MRS.MRIDULA BHATKAR, J.)