

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION**

**CIVIL APPLICATION NO.2897 OF 2015**

**IN**

**FIRST APPEAL NO.1846 OF 2007**

**Sou. Balika Pundlik Khot**

**.. Applicant**

**IN THE MATTER BETWEEN**

**Jijaba Govind Hipparkar and another**

**.. Appellants**

**Versus**

**Nyaj S/o Taj Khaw and others**

**.. Respondents**

**Ms. Shruti Kandoi a/w Mr. U. R. Mankapure for the Applicant.**

**Mr. S. S. Jinsiwale for the Respondent No.3.**

**Mr. P. M. Jadhav for the original Appellant.**

**CORAM : R.M. SAVANT, J.**

**DATE : 5<sup>th</sup> AUGUST 2016**

**PC.**

1           The above Civil Application has been filed for withdrawal of the amount deposited by the Insurance Company in the MACT, Sangli. The Applicant is the wife of the deceased Uttam Hipparkar. It seems that the Applicant has remarried and therefore her surname is Khot. The original Appellants are the parents of the deceased Uttam Hipparkar. The Learned Counsel appearing for the Appellants opposes the application on the ground that the Applicant has remarried. In my view, it would not be

possible to accede to the request of the Applicant for being permitted to withdraw an amount out of the amount deposited by the Insurance Company. The Civil Application is accordingly rejected. However, the Applicant may make her claim in respect of the said amount, if she is entitled to the same in law at the hearing of the Appeal.

**[R.M. SAVANT, J]**