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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.81 OF 2016
IN
FIRST APPEAL (ST) NO.33924 OF 2013

Smt. Sulabai wd/o Baloo Padwal and ors .. Applicant.

In the matter of

Bajaj Alliance General Insurance
Co.Ltd. Appellant

V/s.

Smt. Sulabai wd/o Baloo Padwal
and ors Respondents

Ms. Tejas Kapre, I/by J.S. Kapre, for the
applicants.

Ms. Yogita Deshmukh I/by M.M. Sathaye, for the
Appellant Insurance Company.

CORAM : DR. SHALINI PHANSALKAR-JOSHI, J.

DATE : 04th OCTOBER, 2016.

P.C. :

1. Heard learned counsel for the parties.
2. This application is preferred by the original claimants, seeking withdrawal of amount of compensation as deposited in the Tribunal, by the appellant insurance company. It is submitted that applicant No.1 is widow of the deceased. Applicant Nos 2 to 4 are children and applicant Nos. 6

and 7 are the parents of the deceased. In view of death of deceased who was the only earning member of the family, applicants need some amount for their day to day maintenance.

3. Considering the fact that appeal has already been admitted and the fact that appeal is of the year 2015 not likely to be heard in near future, in order to satisfy the requirements of the applicants, they are permitted to withdraw 50% of the amount in proportion of the quantum of amount to each of applicant as awarded by the Tribunal and deposited by the Insurance Company in the Tribunal, subject to furnishing usual undertaking.

4. Application is disposed of accordingly.

[DR. SHALINI PHANSALKAR JOSHI, J.]