

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

926 CIVIL APPLICATION NO. 4737 OF 2017 IN FIRST APPEAL
NO. 3551 OF 2017

BHARATI DINKAR NERKAR AND ORS
VERSUS
M/S NATIONAL INSURANCE CO. LTD.

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Advocate for Applicants : Mr.Bhokarikar Madhav M
Advocate for Respondent : Mr.Upadhye Vinayak Narayan

CORAM : K. L. WADANE, J.

DATE : 7th September, 2017

ORDER:

1. Heard learned counsel for the applicant and learned counsel for the respondent.
2. This is an application for withdrawal of the amount of compensation deposited by the respondent Insurance company in this Court.
3. Learned counsel appearing for the respondent has objection to pay the entire amount to the applicants. Presently, the award is in favour of the applicants.
4. In view of the above, for the reasons stated in the application, I am of the opinion that at least 50% of the amount of compensation under award alongwith with interest accrued thereon is to be paid to the applicants. The learned counsel for the applicants states that applicant Nos.4 and 5 are minors and

therefore the amount be paid to applicant Nos. 1 to 3.

Hence following order:

O R D E R

Applicant Nos.1 to 3 be paid 50% of the amount deposited, with interest accrued thereon, equally by issuing separate cheques in their names.

5. The civil application is disposed of

(K. L. WADANE, J.)

JPC