

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

CIVIL APPLICATION NO. 4460 OF 2017
IN FA/4016/2016

ANNASAHEB PUNJAJI DETHE AND ANR
VERSUS
THE BRANCH MANAGER ICICI LOMBARD GENERAL INSURANCE CO.
LTD., AURANGABAD AND ORS

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Advocate for Applicants : Shri Karpe Rahul R.
Advocate for Respondents : Shri R. H. Dahat & Shri S. S. Patil For R/1.

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CORAM: V.K. JADHAV, J.
DATE :- 07th April, 2017.

Per Court:

- 1 Heard both the sides.
- 2 The learned counsel for the Respondent/ Insurer has strongly resisted the application on the ground that the Tribunal has erroneously considered the income of the deceased from agricultural sources at higher side and further applied the multiplier by taking into consideration the age of the deceased. The learned counsel submits that the deceased was unmarried son and the Tribunal ought to have applied the multiplier as per the average age of parents.
- 3 In view of the above submissions and considering the fact that the only son of the Applicants met with an accidental death, the Applicants are permitted to withdraw the amount of Rs.10 lac out of the

amount deposited before this Court, on furnishing an undertaking to the satisfaction of the Registrar (Judicial) of this Court. The Civil Application is, accordingly, disposed of.

(V.K. JADHAV, J.)