

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,  
BENCH AT AURANGABAD.

**7 CIVIL APPLICATION NO. 4964 OF 2017**  
IN FA/3406/2011

NANDA PRAMOD PATIL AND ANR  
VERSUS  
THE NEW INDIA ASSURANCE COMPANY LTD.  
THROUGH ITS MANAGER AURANGABAD AND ORS

...

Advocate for Applicants : Mr. Balbhim R. Kedar.

Advocate for Respondent No.1 : Mr. A B. Kadethankar.

...

CORAM : **V. K. JADHAV, J.**

DATE : 05<sup>th</sup> May, 2017.

P.C.:

. Heard both the sides.

2 The learned counsel for Applicants submits that initially the Applicants were permitted to withdraw the amount of Rs.1,50,000/- as deposited by the Respondent / Insurer. However, thereafter, Respondent / Insurer has deposited Rs.2,79,119/- and as such, the Applicants may be permitted to withdraw the remaining amount also.

3 The learned counsel for Respondent / Insurer has strongly resisted the application on the ground that the Applicants have already received certain amount from the compensation and the appeal filed by the Respondent / Insurer may be fixed for early hearing.

4      Considering the above submissions and considering the fact that only son of the Applicants met with an accidental death way back in the year 2000, the Applicants are permitted to withdraw the remaining amount alongwith interest accrued thereon on furnishing undertaking to the satisfaction of the Registrar (Judicial) of this Court. Civil application for withdrawal of amount is accordingly disposed of.

**[ V. K. JADHAV, J. ]**

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