

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

CIVIL APPLICATION NO. 4193 OF 2017
IN FA/2516/2015

SHAIKH AFSAR SK HABIB AND ANR
VERSUS
THE NEW INDIA ASSURANCE CO LTD THROUGH ITS BRANCH
MANAGER PRABHANI DIV. MANAGER,

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Advocate for Applicants : Shri Mayure Pramod C.
Advocate for Respondents : Shri Dhananjay P. Deshpande for R/1 and Shri
S. B. Ghatol Patil For R/2.

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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 Applicants submits that this Court, while disposing of the appeal, has permitted the present Applicants to withdraw the amount of compensation in terms of the judgment and award passed by the Tribunal. The learned counsel submits that the original claimant No.3 has attained the majority and the original claimant No.4 got married during the pendency of the appeal. The learned counsel submits that as per the order passed by the Tribunal, half of the amount of interest falling to the share of the Applicants, was directed to be invested in the nationalized bank for a period of seven years. The learned counsel submits that three years have passed after the judgment and award of the

Tribunal. Since the original claimant Nos.3 and 4 have attained majority during the pendency of the appeal, no purpose would be served to keep half of the amount of the compensation in the bank as directed by the Tribunal.

3 In view of the above, this Civil Application is allowed in terms of prayer clause (B). The Civil Application is, accordingly, disposed of.

(V.K. JADHAV, J.)