

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

26 CIVIL APPLICATION NO. 6463/2017 IN FA/1975/2017 WITH
CA/6455/2017 IN FA/1976/2017 WITH CA/6457/2017 IN
FA/1977/2017 WITH CA/6462/2017 IN FA/1978/2017 WITH
CA/6458/2017 IN FA/1979/2017 WITH CA/6461/2017 IN
FA/1981/2017 WITH CA/6464/2017 IN FA/1982/2017 WITH
CA/6460/2017 IN FA/1983/2017 WITH CA/6456/2017 IN
FA/1984/2017 WITH CA/7258/2017 IN FA/2854/2017
ANITA @ MANISHA TUKARAM MALI AND ANOTHER
VERSUS
BANSI NANA CHAUDHARI AND ANR.

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Advocate for Applicants : Mr. Lex Aquila.
Advocate for Respondent No. 1 : Mr. R. K. Temkar
Advocate for Respondent No. 2 : Mr. S.G Chapalgaonkar.

CORAM : K. L. WADANE, J.

DATE : 18th December, 2017

ORDER:

1. Heard learned counsel for the applicants and learned counsel appearing for the respondent No. 2/ Insurance Company.

2. Learned counsel for respondent No. 2/insurance company submits that, the appeals are presented on the ground that the insurance company is not liable to pay compensation as all the injured/deceased were travelling in a goods vehicle as unauthorized passengers.

3. Learned counsel for the applicants submits that, this issue has been properly determined by the learned Tribunal.

4. At present the Award is in favour of the applicants/claimants. Therefore, I am of the opinion that, at this stage 50% amount of compensation can be paid to the applicants.

5. Applications for withdrawal of amount are allowed.

6. Applicants in respective applications are permitted to withdraw 50% amount of compensation together with accrued interest thereon on condition that if any adverse orders are passed in appeals, they shall redeposit the amount in this Court within a period of 12 weeks.

7. Civil Applications are disposed of.

(K. L. WADANE, J.)

mkd