

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

**CIVIL APPLICATION NO. 8710 OF 2017
IN
FIRST APPEAL NO. 2410 OF 2010**

Syed Rukhsanbi Syed Rifat and others ...APPLICANTS

versus

United India Insurance Co Ltd.
Through its Divisional Manager
and others

...RESPONDENTS

Mr. S.S. Thombre, Advocate for applicants
Mr. S.V. Kulkarni, Advocate for respondent No. 1

CORAM : K.K. SONAWANE, J.

DATED : 21st AUGUST, 2017.

Order :-

1. Heard learned counsel for the applicant and learned counsel for respondent No. 1 -Insurance Company. Perused the application.
2. The applicants moved present application seeking permission to withdraw the amount of Rs. 2,57,583/- for the purpose of medical treatment of old aged respondents No. 4 and 5 and as well as for the purpose of education of applicants No. 2 and 3. It is to be noted that this Court under order dated 21st August, 2014 after considering ailment of applicants No. 4 and 5 as well as education career of minor applicants No. 2 and 3 allowed them to withdraw amount of Rs. 2,50,000/-.
2. At this juncture, there are no change in circumstances to re-appreciate the prayer of the applicants for withdrawal of the amount.

Taking into consideration the attending circumstances on record, I find that there is no propriety to allow the applicants to withdraw the amount for very similar reason, for which already an application has been considered by this Court under order dated 21st August, 2014. Therefore, the application being inept deserves to be rejected. Accordingly, the application stands rejected. No order as to costs.

[K. K. SONAWANE]
JUDGE

MTK