

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

919 CIVIL AAPPLICATION NO.10619/2017

IN FA/3550/2017

VANDANA RAJU DEVRAJ AND ORS

VERSUS

NATIONAL INSURANCE CO. LTD.

...

Advocate for Applicants : Mr. Bhokarikar Madhav.

Advocate for Respondent : Mr.Chapalgaonkar S.G.

CORAM : K. L. WADANE, J.

DATE : 6th September, 2017

ORDER:

1. Heard Mr. Bhokarikar, learned counsel appearing for the applicants and Mr. Chapalgaonkar, learned counsel appearing for the respondent.

2. This is an application for withdrawal of amount of compensation deposited by the Insurance Company in this Court.

3. The learned counsel for the respondent/insurance company opposes the application on two grounds i.e. the involvement of the vehicle itself is disputed and the amount of compensation granted by the learned Tribunal is exorbitant compared to the evidence on record.

4. Taking into consideration the objection raised

by the insurance company, I am of the opinion, at least 50 % amount of compensation can be paid to the claimants/respondents No. 1 to 3, since all the claimants are major.

5. Civil Application is allowed.

6. The applicants/original claimants are permitted to withdraw 50 % amount of compensation together with interest.

7. Civil Application is disposed of.

(K. L. WADANE, J.)

mkd