

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

962 CIVIL APPLICATION NO. 9001 OF 2017
IN FAST/7899/2017

SHRIRANG SHANKAR GAIKWAD (DIED) THR LRS SUBHABAI AND
ORS

VERSUS

ICICI LOMBARD GENERAL INSURANCE COMPANY LTD, THR ITS
LEGAL MANAGER, AURANGABAD AN

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Advocate for Applicants : Mr. Gastgar Santosh B.

Advocate for Respondent No. 1 : Mr. A.G. Choudhari.

CORAM : K. L. WADANE, J.

DATE : 31st August, 2017

ORDER:

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

2. Learned counsel appearing for the Insurance Company opposed the payment of entire compensation amount to the applicants on the ground that the policy produced on record is fake.

3. I have gone through the observations of the learned Tribunal to that effect. Prima-facie it appears that, there is well reasoned order passed by the learned Tribunal. In spite of that and in view of appeal preferred by the Insurance Company at least 50 % amount can be paid to the applicants to meet out their

day today requirements.

4. Civil Application is allowed.

5. The applicants are permitted to withdraw 50 % compensation amount together with interest on the undertaking that in case adverse orders are passed in the appeal, they shall deposit the amount of compensation in this court within a period of 12 weeks.

6. Civil Application is disposed of.

(K. L. WADANE, J.)

mkd