

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

982 CIVIL APPLICATION NO. 11309 OF 2016
IN FA/1848/2016

KHATUNBI DAGADU TADVI AND ORS
VERSUS
RAFIQKHAN RAMNANKHAN AND ORS

...
Advocate for Applicants : Mr Patil Vinod Prakash
Advocate for Respondents : Mr S V Kulkarni For R/3

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CORAM : V.K. JADHAV, J.
Dated: February 24, 2017

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PER COURT :-

1. Heard both sides.
2. Learned counsel for the applicant submits that, sole bread winner of the family met with an accidental death and the applicants have no independent source of income. Though accident had taken place in the year 2006 till this date, the applicants have not received compensation under the fault liability.
3. Learned counsel appearing for the respondent insurer has strongly resisted the application mainly on the ground that the deceased was travelling in a goods carriage vehicle as unauthorized passenger and he was travelling on the cabin of the truck and sustained shock of live electric wire hanging across the road. However, considering the fact that sole bread winner of the family met with the accidental death in the year 2006, I permit the applicants to withdraw 50% of the amount deposited before this Court on furnishing solvent surety to the satisfaction of the Registrar Judicial.
4. Civil application accordingly disposed of.

(V.K. JADHAV, J.)

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