

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

934 CIVIL APPLICATION NO. 10421 OF 2017 IN FAST/8246/2017
ARUNABAI ASHOK GACCHE AND ANR

VERSUS

NEW INDIA ASSURANCE CO. LTD THR ITS AUTHORIZED SIGNATORY,
SURYAKANT S. MAKHARE

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Advocate for Applicants : Mrs. Bharad Pratibha J

Advocate for Respondent No.1 : Mr. M. M. Ambhore

CORAM : K. L. WADANE, J.

DATE : 11th August, 2017

ORDER:

1. Heard learned counsel for the applicants as well as learned counsel for the respondent Insurance company.

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

3. The learned counsel appearing for the respondent insurance company has objection to pay the amount to the applicants on the ground that there was contributory negligence on the part of the drivers of the vehicles involved in the accident.

4. In view of the above, I am of the opinion that at least 50% of the amount deposited in the court can be permitted to withdrawn.

5. The applicants are allowed to withdraw 50% of the amount deposited in this Court. Civil Application disposed of.

(K. L. WADANE, J.)