

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

979 CIVIL APPLICATION NO. 12821 OF 2016
IN FA/3153/2009

BALASAHEB BHAUSAHEB DESHMUKH AND ANR
VERSUS
M/S. ORIENTAL INSURANCE CO.LTD AND ANR

...

Advocate for Applicants : MR. Thombre S.S.
Advocate for Respondent No. 1 : Mr. V.N. Upadhye.

CORAM : K. L. WADANE, J.

DATE : 31st August, 2017

ORDER:

1. Heard learned counsel appearing for the applicant. None present for the respondents.

2. The present application is filed by the original claimants for permission to withdraw the amount of compensation deposited in this Court. The learned counsel appearing for the applicants/claimants submits that, earlier the claimants have withdrawn an amount of Rs. 5,50,000/- as per the order of this Court on 12.10.2010. Subsequently, the applicant No.1 was incurred huge expenses for the marriage of his daughter, which took place on 18.09.2016. The applicant has performed the marriage by borrowing money from private persons. Therefore, now the money is required

to pay to them. In support of his contention, applicant No. 1 has placed on record the invitation card.

3. In view of the above, I am of the opinion, the applicants can be permitted to withdraw at least Rs.3,00,000/- from the amount deposited in this Court. Hence, Civil Application is allowed. The applicant No.1 is permitted to withdraw an amount of Rs. 3,00,000/-(Rs.Three lac only) on furnishing undertaking that, in case of adverse orders are passed in the appeal, the amount of compensation shall be deposited in this court within a period of 12 weeks from the date of order.

4. Civil Application is disposed of.

(K. L. WADANE, J.)

mkd