

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

CIVIL APPLICATION NO. 12414 OF 2017

IN

FAST/17284/2017

VANDANA PRASAD DHANVE AND ORS

VERSUS

**ORIENTAL INSURANCE CO. LTD., THR ITS BRANCH
MANAGER, PARBHANI AND ANR**

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**Advocate for Applicants : Deshmukh Sachin S. (vp
Not Filed For A/2 To 4)**

Advocate for Respondent no.1 : A. G. Kanade

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CORAM : K.L.WADANE, J.

DATED : 10th October, 2017

O R D E R :

Heard learned counsel for both sides.

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

3. Learned counsel for the insurance company opposed the application on the ground that there was contributory negligence amongst the vehicles involved in the accident.

4. Considering the arguments raised, I am of the opinion that the applicants can be permitted to withdraw 75 per cent amount of compensation

along with accrued interest.

5. Hence, Civil Application is allowed. The applicants are permitted to withdraw 75 per cent amount of compensation along with accrued interest on the undertaking that in case adverse orders are passed in appeal, then they will re-deposit the said amount in this Court within a period of 12 weeks.

6. Civil Application is disposed of.

(K.L.WADANE, J.)

dbm