

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

CIVIL APPLICATION NO. 12261 OF 2017
IN FA/3834/2016

PRANITA RANVEER PAWAR @ BIRADAR AND OTHERS
VERSUS
THE NEW INDIA ASSURANCE CO. LTD., THR ITS BRANCH MANAGER,
LATUR AND OTHERS

...
Advocate for Applicants : Mr. Ram S. Shinde.
Advocate for Respondent No.1 : Mr. S. G. Chapalgoankar.
...

CORAM : K.K. SONAWANE, J.

DATED : 28TH SEPTEMBER, 2017.

Order :-

Heard learned counsel for applicants (original claimants). It has been submitted that applicant No.1 is widow and she is in need of money for welfare of children as well as she is intending to purchase the house. Therefore, the applicants may be permitted to withdraw the remaining amount deposited by respondent No.1- Insurance Company deposited in this Court.

2. The learned counsel for respondent No.1 - Insurance Company raised objection and submits that already amount of Rs.10,00,000/- (Rs. Ten Lakh Only) was allowed to be withdrawn by applicant No.1 on furnishing an undertaking, and therefore, it would unjust and improper to allow applicant No.1 for withdrawal of any further amount in this case. This Court under Order dated 20th January, 2017, in Civil Application No. 591 of 2017, after considering the findings of learned Tribunal expressed in the impugned Judgment and Award, allowed the applicant No.1 to withdraw lump-sum amount of Rs.10,00,000/- (Rs. Ten Lacs Only). Moreover, while dealing with Civil Application No. 591 of 2017, the minors of the petitioners were also party to the application and this Court, after considering all aspects, passed the Order. But, once again, the applicants preferred the present application for withdrawal of more amount deposited by

respondent No.1- Insurance Company in this case. After perusal of the contents of application it appears that except bare version, there are no documents produced on record in support of pleadings of the applicants, which would reflect that applicants are in grave need of money. Therefore, I am not inclined to grant the application. In such circumstances, application being inept stands dismissed.

3. At the request of learned counsel for applicants, list the matter for final hearing on merit expeditiously after appearance of all respondents in this case.

[K. K. SONAWANE]
JUDGE

rrd.