

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

941 CIVIL APPLICATION NO. 14233 OF 2016
IN FA/2339/2016

RUSTUM NIVRUTTI BANGAR AND ANR
VERSUS
THE NEW INDIA ASSURANCE CO. LTD. AND ANR

with
942 CIVIL APPLICATION NO. 14262 OF 2016
IN FA/2347/2016

RUKMINBAI SHRIDHAR SANGALE AND ANR
VERSUS
THE NEW INDIA ASSURANCE CO. LTD. AND ANR

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Advocate for Applicants : Dhakane Rajendra B.
Advocate for Respondents : A.b.gatne For R/1

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CORAM : V.K. JADHAV, J.
DATE : 17-02-2017.

P.C. :

1. Heard both the sides. The learned counsel for the respondent insurer submits that considering the evidence on the point of license issued in favour of the respondent driver and the evidence of a clerk from the R.T.O. Office, the applicants original claimants may not be permitted to withdraw the amount. However, considering the observations made by the tribunal in para 18 of the judgment and considering the other challenges, made to the judgment and award passed by the tribunal, the applicant original claimants are permitted to withdraw 50% of the amount deposited before this court on furnishing undertaking to the satisfaction of the

Registrar (Judicial). Both the civil applications are accordingly disposed of.

(V.K. JADHAV)
JUDGE

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