

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

921 CIVIL APPLICATION NO. 12057 OF 2017
IN FAST/6549/2017

PUSHPALATA PANKAJ SARODE AND ORS
VERSUS
NATIONAL INSURANCE CO. LTD., THR ITS DIV. MANAGER, DIV.
OFFICE, AURANGABAD AND AN

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Advocate for Applicants : Mr. Markad Dattraya R.
Advocate for Respondent No. 1 : Mr. S. R. Bodade.

CORAM : K. L. WADANE, J.

DATE : 21st September, 2017

ORDER:

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

2. Heard learned counsel appearing for the applicants and the learned counsel appearing for the respondent/insurance company.

3. Learned counsel appearing for the insurance company opposes the application on the ground that no proper multiplier is adopted by the learned Tribunal. According to him, appropriate multiplier was to be applied of '5' in stead of '11'. The appeal is also presented on two grounds i.e. for quantum and that the driver was not holding valid driving licence.

4. In view of the above, at present, award is in favour of the original claimants, therefore, at least 50 % amount can be paid to the applicants.

5. Civil Application is allowed.

6. Applicants are permitted to withdraw 50 % amount deposited in this Court, in proportion with the order passed by the learned Tribunal.

7. Civil Application is disposed of.

(K. L. WADANE, J.)

mkd