

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

CIVIL APPLICATION NO. 12818 OF 2017

**IN
FA/1742/2017**

**SADHANA MAROTI GHODKE AND ORS
VERSUS
UNITED INDIA INSURANCE CO. LTD, THR ITS DIV
MANAGER, AURANGABAD**

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Advocate for Applicants : Nawale Shivaji M. And
Aanat R Magar
Advocate for Respondent No.1 : S. G. Chapalgoankar

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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 for withdrawal of amount of compensation.

3. Learned counsel for insurance company opposes the application and permission to withdraw total amount of compensation on the grounds that the appeal is presented mainly on the ground of quantum of compensation and secondly contributory negligence.

4. Learned counsel for insurance company submits that mainly earning of the deceased has

been considered to the extent of 10,000/- per month from the agricultural land. The agricultural land remains with the family of the deceased even today. Therefore, there was loss of supervision, and, therefore, in view of above, I am of the opinion that at least 50 per cent amount can be paid to the applicants.

5. Hence, Civil Application is allowed. Applicant nos. 1 to 3, 5 and 6 are allowed to withdraw 50 per cent amount of compensation along with accrued interest.

6. Civil Application is disposed of.

(K.L.WADANE, J.)

dbm