

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

CIVIL APPLICATION NO. 12562 OF 2017

IN
FAST/25515/2017

RANI DURGAPPA SHINDE AND ORS
VERSUS
BAJAJ ALLIANZ GENERAL INSURANCE CO. LTD, THR ITS
BRANCH MANAGER, AURANGABAD AND O

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Advocate for Applicants : Chavan P.S.
Mr. Y.R.Deshmukh, adv. h/f Mr. S. G. Chapalgoankar
For R/l

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CORAM : K.L.WADANE, J.
DATED : 5th October, 2017

O R D E R :

Heard learned counsel for both sides.

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

3. Application is opposed by the learned counsel for the insurance company on the ground of involvement of the vehicle in the accident.

4. I have gone through the statement of Shankar Shinde recorded by the police. He is from Barshi and information of the accident was given by one Satish Patil, resident of Hingoli on the mobile of deceased himself and on the information received from Satish

Patil, the father of deceased reported to the police station the registration number of motor cycle on which deceased was riding, registration number of jeep which gave dash to the motor cycle, together with other particulars.

5. Prima facie, it appears that the documents are sufficient to establish the involvement of the vehicle in the accident.

6. In such circumstances, and as per the grounds raised in appeal memo, at least 50 per cent amount can be paid to the applicant nos. 1, 6 and 7.

7. Applicant nos. 1, 6 and 7 are permitted to withdraw 50 per cent amount of compensation together with accrued interest. Rest of the amount of compensation shall be kept in fixed deposit initially for two years and shall be renewed from time to time as per the directions of this Court. Civil Application is disposed of.

(K.L.WADANE, J.)

dbm