

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

28 CIVIL APPLICATION NO. 13424 OF 2017
IN FAST/23983/2016

TARABAI TRIMBAK (TRIMUKH) GIRI
VERSUS
M/S. SHRIRAM GENERAL INSURANCE CO. LTD., THR ITS MANAGER,
AURANGABAD

...
Advocate for Applicant : Mr. Pratibha J. Bharad
Advocate for respondent: Mr. Mohit Deshmukh h/f
Mr. S.G. Chapalgaonkar

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CORAM : K.K. SONAWANE, J.
DATED : 13th NOVEMBER, 2017.

Order :-

1. Heard learned counsel for the parties.
2. Perused the application. Respondent No. 1 has deposited Rs. 8,58,934/- in this Court towards compensation amount awarded by the learned Tribunal for the death of victim minor caused due to vehicular accident. In this case, during the course of argument, it has been agreed that applicants be allowed to withdraw 50% of the amount deposited in this Court to protect the interest of the appellant- Insurance Company.
3. In view of subject matter, application stands partly allowed. The applicant – Tarabai w/o Trimbak (Trimukh) Giri is hereby allowed to withdraw 50% of the amount deposited by the respondent - Insurance Company in this Court on furnishing undertaking to the satisfaction of Registrar (Judicial) of this Court to the effect that in case any adverse situation arises in the present appeal, she would refund the amount forthwith. The rest of the balance 50% of the amount deposited in this Court be kept in Fixed Deposit Receipts for a period of two years or till decision of the appeal on merit, whichever is earlier. Registry to do the needful for disbursement of the amount to the applicant-claimant.
3. Accordingly, civil application stands disposed of.

Sd/-

[K. K. SONAWANE]
JUDGE

MTK