

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD
935 CIVIL APPLICATION NO. 12996 OF 2017
IN FA/3324/2017

RAKHMA ASHOK CHAVAN AND ORS
VERSUS
BALKRISHNA MASU SHINDE AND ANR

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Advocate for Applicants : Mr. Mayure Pramod C.
Advocate for Respondent No. 2 : Mr. S. G. Chapalgoankar

CORAM : K. L. WADANE, J.

DATE : 11th October, 2017

ORDER:

1. This is an application for withdrawal of amount of compensation deposited by the Insurance Company in this Court.
2. Respondent No.2/insurance company opposes the application on the grounds; (i) involvement of the vehicle in the accident, (ii) quantum of compensation and (iii) 50 % addition in the income of the deceased for future prospects.
3. Considering the objections/grounds raised by the appellant/insurance company, I am of the opinion, the applicants can be permitted to withdraw 60 % amount of compensation.
4. Application is allowed.

5. The applicants are permitted to withdraw 60 % amount of compensation together with interest accrued, on undertaking that in case adverse orders are passed against the applicants, they shall redeposit the amount in this court within a period of 12 weeks from the date of order.

6. Rest of the amount shall be invested in the fixed deposit receipt in Nationalized Bank for a period of 13 months and shall be renewed thereafter from time to time as per the order of this Court.

7. Civil Application is disposed of.

(K. L. WADANE, J.)

mkd