

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

917 CIVIL APPLICATION NO. 14983 OF 2017
IN FIRST APPEAL NO.1696/2017

VINITA DATTU GANGAWANE AND ORS
VERSUS
DHIRAJLAL KESHAVLAL KUDADIYA AND ANR

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Advocate for Applicants : Mr. Choudhari Sushant B
Advocate for Respondent No.2 : Mr.A. S. Usmanpurkar

CORAM : K. L. WADANE, J.

DATE : 14th December, 2017

ORDER:

1. Heard learned counsel for the applicants and learned counsel for the respondent No.2-Insurance Company.

2. This is an application for withdrawal of the amount of compensation deposited by respondent No.2 Insurance company in this Court.

3. The application is opposed by the learned counsel appearing for the respondent Insurance company as the appeal is presented by the Insurance company on various grounds, amongst which, the ground of quantum is the main ground. I have gone through the reasons recorded by the learned tribunal. It appears that the award is in favour of the applicants.

4. In view of the above, for the reasons stated in

the application, I am of the opinion that at least 50% of the amount of compensation under award alongwith with interest accrued thereon is to be paid to the applicants. Hence following order:

O R D E R

Applicants are permitted to withdraw 50% of the amount of compensation deposited in this court with interest accrued thereon on furnishing undertaking that in the event of adverse order passed in the appeal, they shall redeposit the said amount within a period of 12 weeks from the date of order.

5. The civil application is disposed of

(K. L. WADANE, J.)

JPC