

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

914 CIVIL APPLICATION NO. 14975 OF 2017
IN FIRST APPEAL NO.2543/2017

MUMTAJ ISRAIL PATHAN AND ORS
VERSUS
SHRIRAM GENERAL INSURANCE CO. LTD, THR ITS BRANCH
MANAGER, AURANGABAD AND ORS

...

Advocate for Applicants : Mr. Mayure Pramod C
Advocate for Respondent No.1 : Mr.S. G. Chapalgoankar

CORAM : K. L. WADANE, J.

DATE : 14th December, 2017

ORDER:

1. Heard learned counsel for the applicants and learned counsel for the respondent Insurance Company.
2. This is an application for withdrawal of the amount of compensation deposited by respondent No.1 Insurance company in this Court.
3. Learned counsel appearing for the respondent Insurance company has objection to pay the entire amount to the applicants on the ground that the appellant Insurance company has challenged the award on the ground of quantum of compensation. Presently, 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