

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

933 CIVIL APPLICATION NO. 16073 OF 2016
IN FAST/15435/2016

CHANDRAKANT GANGADHAR KANDALKAR AND ANR
VERSUS
NEW INSURANCE ASSURANCE CO. LTD. AND ANR

...
Advocate for Applicants : Mr. Rahul A. Tambe
Advocate for Respondent No. 1 : Mr. S.G. Chapalgaonkar
Advocate for Respondent No. 2 : Mr. P.S. Dighe
...

CORAM : K.K. SONAWANE, J.

DATED : 05TH OCTOBER, 2017.

Order :-

1. Heard learned counsel for appearing parties.
2. Perused the application. The matter pertains to motor accident claims for the death of deceased minor Jalindhar. The learned Tribunal, after appreciating the evidence on record partly allowed the claim. Pursuant to which, the appellant-Insurance Company has deposited total sum of Rs. 6,68, 025/- in this Court. In view of the nature of subject-matter there is no impediment to allow the applicant to withdraw 50% of the amount deposited by the Insurance Company in this appeal. Hence, the application stands allowed. The applicants are permitted to withdraw 50% of the amount deposited by the Insurance Company in this appeal on furnishing undertaking to the satisfaction of the Registrar of the Court of Motor Accident Claims Tribunal at Shrirampur, District Ahmednagar to the effect that in case adverse situation arises in the appeal on adjudication of the same on merit they

would refund the amount within stipulated period as per direction of this Court.

3. Registrar (Judicial) of this Court to transmit the requisite 50% of the amount deposited in this appeal to the Court of Motor Accident Claims Tribunal at Shrirampur, District Ahmednagar for its disbursement in favour of the applicants, as referred above.

4. The civil application is allowed in above terms and stands disposed of.

Sd/-
[K. K. SONAWANE]
JUDGE

mtk.