

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

916 CIVIL APPLICATION NO. 14979 OF 2017
IN FIRST APPEAL ST. NO.21322/2017

SHANKAR HUPSINGH JADHAV AND ANR
VERSUS
SHRIRAM GENERAL INSURANCE COMPANY LTD., AND ANR

...

Advocate for Applicants : Mr. Bide Dnyaneshwar A.
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