

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

CA/457/2017 IN FA/3161/2016

RUPALI DIGAMBAR GATHADE AND OTHERS.
VERSUS
THE NEW INDIA ASSURANCE CO LTD. AND ORS.

...
Advocate for Applicant : Mr Shinde Ram S.
Advocate for Respondents : Mr S.R. Bodade

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CORAM : V.K. JADHAV, J.
Dated : January 13, 2017

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PER COURT :-

1. Learned counsel submits that, the bread earner of the family met with an accidental death and there is no independent source of income for the applicants for their livelihood as they have no any other source of income.
2. Learned counsel for respondent-insurer strongly resisted the application on various grounds.
3. In view of the submissions above and considering the challenge made to the judgment and award passed by the Tribunal, the applicants are permitted to withdraw an amount of Rs.5,50,000/- on furnishing an undertaking to the satisfaction of the Registrar Judicial of this Court. Out of the said Rs 5,50,000/-, Rs.4.00 lacs be paid to applicants no. 1 and 2 and Rs.1,50,000/- be paid to applicants no.3 and 4. Remaining amount shall be kept in fixed deposit in any Nationalized Bank initially for a period of 5 years and thereafter be renewed as per directions of this Court.
3. Civil application accordingly disposed of.

(V.K. JADHAV, J.)

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