

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

CIVIL APPLICATION NO. 15054 OF 2017

IN FAST/35656/2015

KAVITABAI RAVINDRA PATIL AND OTHERS
VERSUS
RELIANCE GENERAL INSURANCE CO. THR ITS MANAGER
AURANGABAD AND ORS

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Advocate for Applicants : Mr. Patil Vijay B.
Advocate for Respondent no.1 : Mr. R. H. Dahat &
S. S. Patil

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CORAM : K.L.WADANE, J.

DATED : 15th December, 2017

O R D E R :

Heard learned counsel for both sides.

2. This is an application for withdrawal of amount of compensation deposited in this Court.

3. Learned counsel for the insurance company opposes the application on two grounds, involvement of vehicles and quantum of compensation.

4. I have gone through the reasons recorded by the trial Court. Owner of the vehicle has admitted the factum of involvement of vehicles. So far as second ground is concerned, I am of the

opinion that at least 75 per cent amount can be paid to the applicants on undertaking.

5. Hence, the applicants are permitted to withdraw 75 per cent amount of total compensation can be paid on the undertaking that in case adverse orders are passed by this Court in appeal, the applicants will re-deposit the said amount in this Court within 12 weeks from the date of such order. Remaining 25 per cent of the amount together with accrued interest shall be invested in fixed deposit in any nationalized bank initially for a period of two years, to be renewable from time to time as per the directions of this Court.

6. Civil Application is disposed of.

(K.L.WADANE, J.)

dbm