

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

996 CIVIL APPLICATION NO. 263 OF 2017
IN FA/2989/2016 WITH CA/11056/2016 IN FA/2989/2016

LATABAI DADABHAU GADILKAR AND ORS
VERSUS
RELIANCE GENERAL INSURANCE CO. THR ITS MANAGER

...

Advocate for Applicants : Karpe Rahul R.
Advocate for Respondents : R. H. Dahat & S. S. Patil For R/1

...

CORAM : V.K. JADHAV, J.
DATE : 13-01-2017.

P.C. :

1. Heard the learned counsel for the applicants. The counsel submits that, the bread winner of the family met with an accidental death and there is no independent source of income to the applicants. The learned counsel submits that the amount is needed for educational purpose of applicant nos. 2 and 3.

2. The learned counsel for the respondent-insurer submits that, the respondent-insurer has challenged the award on the ground of contributory negligence as well as on quantum. The learned counsel submits that, the applicant nos. 1 and 2 may be permitted to withdraw an amount of Rupees Two Lakh Fifty Thousand each and applicant no. 4 may be permitted to withdraw Rupees One Lakh.

3. In view of the submissions above and considering the

challenge made to the judgment and award passed by the tribunal. The applicant nos. 1, 2 and 4 are permitted to withdraw an amount of Rupees Ten Lakhs in total on furnishing undertaking to the satisfaction of the Registrar (Judicial). The remaining amount shall be invested in F.D.R. in any nationalised bank initially for a period of three weeks and the F.D.R. be renewed thereafter from time to time till disposal of the first appeal. Civil application is accordingly disposed of.

4. Call for record and proceedings.

(V.K. JADHAV)
JUDGE

mub