

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

917 CIVIL APPLICATION NO. 14824 OF 2017
IN FAST/16283/2017

REKHA SANJAY DHEMBARE AND ORS
VERSUS
UNITED INDIA INSURANCE CO. LTD, THR ITS ADM
OFFICER SHRI MAHENDRA P VIRAT, AURANG

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Advocate for Applicants : Mr.Deshmukh Sachin S.
Advocate for Respondent No. 1 : Mr. S. S. Rath

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CORAM : K.L.WADANE, J.

DATED : 20th 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 by the insurance company.

3. Learned counsel for the Respondent/insurance company opposed the application on the ground that involvement of the vehicle is in serious dispute.

4. I have gone through the reasons recorded by the Tribunal. One of the occupants in the rickshaw i.e. offending vehicle has been examined, who supported the case of the applicants.

5. In view of above, the applicants can be permitted to withdraw 50 per cent amount of compensation together with interest.

6. Hence, Civil Application is allowed. The applicants are allowed to withdraw 50 per cent amount of compensation along with accrued interest on undertaking that in case adverse orders are passed in appeal, the applicants will re-deposit the amount in this Court within a period of 12 weeks from the date of such order.

7. Civil Application is disposed of.

(K.L.WADANE, J.)

dbm