

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

929 CIVIL APPLICATION NO. 15294 OF 2017
IN FIRST APPEAL ST. NO. 21599/2017

RESHMA SADEK ANSARI AND ORS
VERSUS
RANJANA SANJIV KARAD AND ORS

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Advocate for Applicants : Mr. Dargad Swapnil S
Advocate for Respondent No.3 : Mr.S. R. Bodade

CORAM : K. L. WADANE, J.

DATE : 19th December, 2017

ORDER:

1. Heard learned counsel for the applicants and learned counsel for the respondent No.3-Insurance Company.

2. This is an application for withdrawal of the amount of compensation deposited by respondent No.3 Insurance company in this Court.

3. The application is opposed by the learned counsel appearing for the respondent Insurance company as the appeal is presented by the Insurance company on ground that involvement of the vehicle in the accident has not been duly proved. Mr. Dargad, the learned counsel for the applicants points out the reasons recorded by the learned Tribunal in Para 18 of the Judgement, from which, it appears that involvement of

the vehicle is established by the claimants by examining Rajendra (PW-2) and apparently it is seen that the vehicle was subsequently identified to be involved in the accident.

4. In view of the above, for the reasons stated in the application, I am of the opinion applicants can be permitted to withdraw 75% of the amount of compensation under award alongwith with interest accrued thereon. Hence following order:

O R D E R

1. Applicants are permitted to withdraw 75% of the amount of compensation deposited in this court with interest accrued thereon.
 2. Rest of the amount shall be invested in fixed deposit in any nationalized bank initially for a period of two years and thereafter as per directions of the Court.
5. The civil application is disposed of

(K. L. WADANE, J.)

JPC