

Santosh

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO. 4282 OF 2015
IN
FIRST APPEAL NO. 1337 OF 2014

Bhanudas Motigiri Gosavi & Anr	...Applicants
<i>In the matter between</i>	
New India Assurance Co Ltd	...Appellant
<i>Versus</i>	
Jayashree Gosavi & Ors	...Respondents

Mr Yuvraj Narvankar, *for Applicants/Respondents Nos.1 to 3.*
Mr SM Dange, *for the Appellant.*

CORAM: G.S. PATEL, J
DATED: 1st August 2017

PC:-

1. This is an application for the withdrawal by the parents of the deceased. By previous order dated 11th February 2015 the wife was allowed to make a withdrawal for herself and a monthly withdrawal for the minor.

2. The total amount awarded is Rs.30,60,000/-. Out of the award, 30% was apportioned to the widow, 25% each to the two parents and the remaining amount of 20% was to be invested in a

fixed deposit in a name of the minor Applicants. Nothing at all has been withdrawn by the parents of the 25% each that they have been awarded.

3. I see no reason why they should not be at liberty to withdraw 50% of the 25% each that they have been awarded, which works out to 25% of the aggregate amount. The Applicants will be at liberty therefore to withdraw an aggregate amount of Rs.10,00,000/- which is just slightly over 25% of the amount deposited, subject to the outcome of the Appeal.

4. The Civil Application is disposed of.

(G. S. PATEL, J.)