

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

**923 CIVIL APPLICATION NO. 11332 OF 2018
IN FAST/25556/2016 WITH CA/12650/2016 IN
FAST/25556/2016 WITH CA/12652/2016 IN
FAST/25556/2016 WITH CA/12328/2018 IN
X-APLST/21934/2018**

SULABHA SUDHAKAR PATIL AND ORS

..Applicants

VERSUS

**THE UNITED INDIA INSURANCE CO. LTD.,
THR ITS AUTHORIZED SIGNATORY
AURANGABAD AND ORS**

..Respondents

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**Shri M.M. Bhokarikar, Advocate for Applicants;
Shri S.S. Dargad, Advocate, h/f. Shri S.G. Chapalgaonkar,
Advocate for Respondent No.1**

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CORAM : P.R. BORA, J.

Dated: October 05, 2018

PER COURT :

1. Heard the learned Counsel appearing for the applicants and the learned Counsel appearing for the respondent No.1 – Insurance Company.

2. The learned Counsel for the Insurance Company brought to my notice that, towards non-pecuniary damages the Tribunal has awarded Rs.7,25,000/-. It is further contended that, the defence of contributory negligence has also been taken by the Insurance Company.

3. Having regard to the grounds of objections so raised, I deem it appropriate to pass the following order.

ORDER

(i) The applicants are permitted to withdraw a lump sum amount of Rs.6,00,000/- from the deposited amount on submitting an undertaking to the satisfaction of the Registrar of this Court.

(ii) Balance amount be invested in Fixed Deposit Receipt in any Nationalized Bank for the period till disposal of the appeal.

(iii) Civil Application No.11332 of 2018 stands disposed of.

(**PR. BORA, J.**)

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