

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

CIVIL APPLICATION NO. 14143 OF 2018

IN

FIRST APPEAL (ST.) NO. 33847 OF 2017

Kalyan Raising Rathod and another.

Applicants.

Versus

Divisional Manager, Shriram General
Insurance Company Ltd., and others.

Respondents.

Mr. B.V.Dhage, Advocate for the applicants.

Mr. S.G. Chapalgaonkar, Advocate for respondent No.1.

CORAM : SUNIL K. KOTWAL,J.

Dated : 27th November 2018.

ORDER :-

. The original claimants have filed this application for withdrawal of compensation amount deposited in this Court by Insurance Company. Learned Counsel for Insurance Company submits that the award is challenged on the ground that on the date of accident the driver of offending vehicle did not hold effective and valid driving licence.

2. After going through the award passed by the Tribunal, it emerges that only Rs. 1,86,500/- each are awarded to the present applicant Nos.1 and 2. Considering such award, permission is granted to the applicants to withdraw Rs. 1,00,000/- each out of the deposited compensation amount with proportionate interest thereon, subject to filing written undertaking in this Court within eight weeks, for depositing the withdrawn amount as and when directed by this Court.

3. Registrar (Judicial) to act accordingly.

4. Civil Application is disposed of accordingly.

(SUNIL K. KOTWAL)
JUDGE

vdd/