

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

**945 CIVIL APPLICATION NO. 11819 OF 2018
IN FA/2831/2018**

SUREKHABAI KAILASH JADHAV AND ORS
VERSUS
THE NEW INDIA ASSURANCE CO. LTD., AURANGABAD

...
Advocate for Applicants : Shri Shrikant Patil h/f.
Shri M.A. Chaudhari
Advocate for Respondent : Shri M. M. Ambhore

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...
CORAM : P.R.BORA, J.
DATE: 1st November, 2018

PER COURT:-

1 Heard Shri Shrikant Patil, learned Counsel for the applicants and Shri M.M.Ambhore, learned Counsel appearing for the respondent Insurance Company.

2 Having considered the submissions made and grounds of objection raised in exception to the impugned Judgment and award, I deem it appropriate to pass the following order:-

ORDER

I) Applicant No.1 is permitted to withdraw a sum of Rs.7,00,000/- from the deposited amount on submitting an undertaking to the satisfaction of the Motor Accident Claims Tribunal at Dhule.

II) Applicant Nos.4 and 5 are permitted to withdraw Rs.2,00,000/- each from the deposited amount on submitting an undertaking to the satisfaction of the Motor Accident Claims Tribunal at Dhule.

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

IV) The amount permitted to be withdrawn by the applicants be transmitted to the Executing Court at Dhule, so as to facilitate withdrawal of the said amount by the applicants.

V) The Motor Accident Claims Tribunal, Dhule, shall forward the undertaking given before it by the claimants to this Court.

(P.R.BORA)
JUDGE

SPT