

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 3017 OF 2018
IN CIVIL APPLICATION NO. 15845 OF 2016 IN FA/2539/2016

SUREKHA NITIN JAGTAP AND ANR.
VERSUS
RELIANCE GENERAL INSURANCE CO., LTD. THR ITS MANAGER,
AURANGABAD AND ANR.

...
Mr. Mohit Deshmukh, Advocate h/f Mr. A.S. Gandhi, Advocate for
applicants
Mr. V.P. Raje, Advocate h/f Mr. R.H. Dahat, Advocate for respondent
no.1
...

CORAM : SUNIL P. DESHMUKH, J.
DATE : 01-03-2018

ORDER :

1. Heard learned counsel for the parties.
2. After hearing, counsel for applicants resiled to a situation under which it is deemed practicable to split up figure of Rs.8,00,000/- along with accrued interest thereon, into two equal halves, to be withdrawn by two applicants separately, as due to obstacles in the way of applicant no.1, even applicant no. 2 is not getting benefit of order dated 29-11-2016. Applicant no.2, who happens to be mother of the deceased, is in dire need of the amount for her livelihood.

3. In the circumstances, learned counsel, on instructions, submits that applicant no.2 be allowed to withdraw a sum of Rs.4,00,000/- along with accrued interest thereon from the amount of Rs. 8,00,000/-, allowed to be withdrawn under order dated 29-11-2016, on furnishing an undertaking as referred to in the said order.

4. Having regard to the circumstances, it would be expedient that applicant no.2 be allowed to withdraw Rs.4,00,000/- alongwith accrued interest thereon, on furnishing undertaking, as referred to in order dated 29-11-2016 splitting the figure of Rs.8,00,000/-.

5. For the rest of the amount pursuant to said order dated 29-11-2016, the same be allowed to be withdrawn by applicant no.1, on satisfaction of identification by *Nazarat* and the Registrar (Judicial) of this court.

6. Civil application stands disposed of accordingly.

[SUNIL P. DESHMUKH]
JUDGE

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