

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

937 CIVIL APPLICATION NO.14385 OF 2018
IN FA/3532/2018

SUNITA GAJANAN SHINDE AND ORS
VERSUS

THE NEW INDIA ASSURANCE CO. LTD., THR ITS AUTHORIZED
OFFICIAL AND DIV. MANAGER, A

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Advocate for Applicants : Mr.Agrawal Pavankumar S.
Advocate for Respondent No. 1 : Mr.A. S. Usmanpurkar
Advocate for Respondent No. 2 : Mr.A. T. Jadhavar

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CORAM : SUNIL K.KOTWAL, J.

DATE : DECEMBER 14, 2018

O R D E R :

Heard learned counsel for applicants and the
counsel for respondent No. 2.

2. Learned counsel for respondent No. 1
vehemently objects the application on various grounds
including the dismissal of previous M.A.C. Petition.
The dispute is regarding the involvement of offending
vehicle in accident, breach of conditions of policy of
insurance and the quantum of the compensation.

3. However, at this stage, this Court cannot express anything about the merits of the matter.

4. Considering the nature of claim petition as death claim, permission is granted to the applicants to withdraw only 50% amount of the compensation deposited in this Court subject to filing of written undertaking by the applicant Nos.1, 4 and 5, within the period of eight weeks from the date of passing of this order to deposit the withdrawn amount as and when directed by this court.

5. Civil application is disposed of.

[SUNIL K.KOTWAL, J.]

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