

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

908 CIVIL APPLICATION NO. 13214 OF 2018
IN FA/475/2013

SUNITA DAULAT THORAT AND ORS
VERSUS
THE NEW INDIA ASSURANCE CO. LTD. AND ORS

...
Advocate for Applicants : Mr. R. V. Gore Ravindra
Advocate for Respondent No.1 : Mr. M. R. Deshmukh
...

CORAM : SUNIL K. KOTWAL, J.

DATE : OCTOBER 25, 2018

PER COURT

Heard.

2. Learned counsel Mr. Mohit R. Deshmukh waives service of notice for respondent No.1 in this Civil Application.
3. Learned counsel for the applicant submits that now applicant No.3 Deepali Daulat Thorad has attained the majority.
4. Considering the nature of litigation and appeal against the award passed by the Tribunal, the present application deserves to be allowed. Therefore, permission is granted to the applicant No.3 to withdraw the amount of Rs.1,00,000/- out of compensation amount

deposited in the first appeal, subject to filing of written undertaking in the first appeal to deposit the said withdrawn amount as and when directed by this Court. Undertaking be filed within four weeks from the date of this order.

5. Civil application is disposed of accordingly.

[SUNIL K. KOTWAL, J.]

vsm/-