

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

BENCH AT AURANGABAD

**CIVIL APPLICATION NO.12130/2017
IN
CIVIL APPLICATION NO.8495/2017
IN
FIRST APPEAL (ST)NO.21493/2017**

Latabai w/o Madhav Sarode,
three others.

...Applicants..
(Org.res.nos.1 to 4)

Versus

The New India Assurance Co.Ltd.
& another.

...Respondents...

.....

Shri Mahesh P. Kale, Advocate for applicants.
Shri S.G. Chapalgaonkar, Advocate for respondent no.1.
Shri U.M. Mhaske, Advocate h/f Shri S.B. Ghatol Patil,
Advocate for respondent no.2.

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CORAM: M.S. SONAK, J.

DATE: 17.01.2018

ORDER :

- 1] Heard learned counsel appearing for the parties.
- 2] Taking into consideration the facts and circumstances of this case, the applicants are permitted to withdraw an amount of Rs.5,00,000/- from out of the

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compensation amount deposited by the insurance company. Out of this amount of Rs.5,00,000/-, Rama and Saraswati, parents of the deceased, shall withdraw Rs.1,00,000/- each and the balance amount of Rs.3,00,000/- shall be withdrawn by Latabai (widow) and Ravi (son). The withdrawal shall be subject to applicants' filing undertaking in this Court that they shall abide by the final orders in this appeal.

3] It is made clear that the applicants shall not be entitled to any further withdrawal during the pendency of this appeal.

(M.S. SONAK, J.)