

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

CIVIL APPLICATION NO. 12661 OF 2018 IN FAST/31026/201

RUPALI SUNIL GAVALI AND ORS
VERSUS
CHOLAMANDALAM GENERAL INSURANCE COMPANY LTD., THR
ITSMANAGER, AURANGABAD AND ORS

...
Advocate for Applicants : Mr. Vijay B. Patil
Advocate for Respondent No.1 : Mr. S. G. Chapalgoankar

...
CORAM : SUNIL K. KOTWAL, J.
DATED : 10th OCTOBER, 2018.

ORDER :-

Heard learned counsel for applicants and respondent No.1.

2. Considering the nature of litigation and need of applicants as well as grounds mentioned in the application, application deserves to be partly allowed.
3. The permission is granted to applicants-original claimants to withdraw 75 % of the deposited compensation amount in this Court, subject to filing written undertaking by applicants No. 1, 3 and 4 in the First Appeal to the effect that in case adverse situation, if any, arises after adjudication of the appeal on merit, the amount withdrawn would be refunded forthwith as and when directed by this Court. The undertaking be filed within four (4) weeks from the date of this order.
4. Remaining 25 % amount of compensation be invested in Fixed Deposit Receipts account in any Nationalized Bank for the period of two years or till disposal of the first appeal, whichever period is earlier.
5. Registrar (Judicial) to act accordingly.
6. Civil Application is allowed and disposed of in above terms.

**[SUNIL K. KOTWAL]
JUDGE**

rrd.