

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

907 CIVIL APPLICATION NO. 13213 OF 2018
IN FAST/626/2017

SHAMEEM BEGUM SHAIKH RAUF AND ORS
VERSUS
THE NEW INDIA INSURANCE CO. LTD., THR ITS BRANCH MANAGER,
AURANGABAD AND ORS

...
Advocate for Applicants : Mr. S. S. Dargad
Advocate for Respondent No.1 : Mr. M. M. Ambhore
...

CORAM : SUNIL K. KOTWAL, J.

DATE : OCTOBER 25, 2018

PER COURT

Heard.

2. This application is filed for withdrawal of the compensation amount deposited in the First Appeal preferred by the Insurance Company. The applicants are dependent of the deceased. Applicant Nos. 2 and 3 are minor sons of the deceased. Considering their share in the compensation amount, which is to be invested in fix deposit, it is not desirable to allow the withdrawal of the entire amount of compensation as claimed by the applicant No.1. Total compensation amount of Rs.67,35,288/- is deposited in First Appeal.

3. Therefore, considering the approximate share of applicant No.1 in the compensation amount, permission is granted to withdraw only amount of Rs.20,00,000/- out of the deposited compensation amount, subject to filing of written undertaking in the First Appeal by applicant No.1 to deposit the withdrawn amount as and when directed by this Court.
4. Written undertaking be filed within six weeks from the date of this order.
5. Civil application is disposed of accordingly.

[SUNIL K. KOTWAL, J.]

vsm/-