

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

**988 CIVIL APPLICATION NO. 13479 OF 2018
IN FA/1074/2008**

SHEETAL SHANKAR JADHAV U/G OF MOTHER PARVATIBAI
VERSUS
NEW INDIA ASSURANCE CO. LTD. THR ITS SENIOR DIVISIONAL
MANAGER, AURANGABAD AND OR

....

**990 CIVIL APPLICATION NO. 13516 OF 2018
IN FA/1073/2008**

RUSHALI RAJU JADHAV
VERSUS
NEW INDIA ASSURANCE CO. LTD. THR ITS SENIOR DIVISIONAL
MANAGER, AURANGABAD AND OR

...

**991 CIVIL APPLICATION NO. 13526 OF 2018
IN FA/1072/2008**

SACHIN SHANKAR JADHAV U/G OF MOTHER PARVATIBAI
VERSUS
NEW INDIA ASSURANCE CO. LTD. THR ITS SENIOR DIVISIONAL
MANAGER, AURANGABAD AND OR

...

Advocate for Applicant : Mr. Barlota Ambar S.
Mr. V. N. Upadhye, Adv. For R/1;
Mr. H. M. Salve, Adv. For R/4

**CORAM : P.R. BORA, J.
DATED : 2nd November, 2018.**

PER COURT:-

1. Heard Shri Barlota learned counsel for applicants and Shri Upadhye, learned counsel for Respondent insurance company.

2. It is the contention of learned counsel for applicants that the Award impugned in the present matters is satisfied by the insurance company by depositing certain amount in the

Executing Court and part of the said amount before this Court. The learned counsel submits that the applicants have received the amounts which were deposited before the Executing Court and they deserve to be allowed to withdraw the amount which has been deposited in this Court.

3. Learned counsel for the insurance company only by way of precaution has submitted to transmit the amount which has been deposited by the insurance company in this Court to the Executing Court, so that necessary enquiry may be conducted, whether the amount, as per the Award is already received in full by the applicants or some amount is yet to be paid to them.

4. In view of the submissions made, following order is passed, -

ORDER

i. The amount of compensation deposited by the insurance company in this Court with interest accrued thereon be transmitted to the Motor Accident Claims Tribunal at Aurangabad.

ii. The Motor Accident Claims Tribunal Aurangabad shall conduct an enquiry into the application for withdrawal of the amount, which may be submitted by the claimants and on such enquiry, if it is noticed that in the execution proceedings, the entire amount under the Award is not received to the claimants, pass necessary orders for remittance of the present amount in

(3)

favour of the claimants.

(P.R. BORA)
JUDGE

bdv