

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 2523 OF 2018
IN
FIRST APPEAL NO. 4243 OF 2016

Vidya Sunil Patil
(Vidya w/o Dileep Patil) .. Applicant

vs

The United India Insurance
Company Ltd. and others .. Respondents

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Mr. Madhav M. Bhokariker, Advocate for applicant
Mr. S. S. Rathi, Advocate for respondent no. 1

CORAM : SUNIL P. DESHMUKH, J.
DATE : 23rd February, 2018

ORDER:

1. Heard learned counsel for applicant and learned counsel for respondent no.1-insurance company.
2. The award shows that present applicant is held to have been entitled to receive an amount of ₹ 2,80,000/- plus interest accrued thereon.
3. It is stated by learned counsel for respondent no.1 - insurance company that the entire amount has been deposited by insurance company in this court. From deposited amount, other claimants who are respondents no. 3 to 6 in present application have already withdrawn fifty per

cent of their share from the amount as awarded to them by the tribunal.

4. Learned counsel for applicant, therefore, submits that present applicant be also given same treatment.

5. Mr. Rathi, learned counsel for insurance company fairly states that he may not have any particular objection and present applicant be treated accordingly.

6. In view of aforesaid, present applicant may be allowed to withdraw fifty per cent of the amount from her share of compensation as awarded under the decision by the motor accident claims tribunal on furnishing an undertaking to the effect that she shall pay back / deposit the amount being withdrawn under this order within a period of three months from the date of decision in the appeal or as may be directed by the court, in case decision in appeal is rendered against her interest.

7. Civil application is accordingly allowed and is disposed of.

SUNIL P. DESHMUKH
JUDGE

pnd/-