

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.812 OF 2018
IN
FIRST APPEAL (STAMP) NO.6107 OF 2017

Nirmala Yuvraj Dardige and Ors.	 Applicants
<i>In the matter between</i>	
Bajaj Allianz General Insurance Co. Ltd., Pune	 Appellant
<i>V/s.</i>	
Nirmala Yuvraj Dardige and Ors.	 Respondents

Mr. Sanjay A. Ghaisas for the Applicants-Original Respondent Nos.1 to 5.

Mr. Devendranath S. Joshi for the Appellant-Insurance Company.

CORAM : DR. SHALINI PHANSALKAR-JOSHI, J.

DATE : 5TH SEPTEMBER, 2018.

P.C. :

1. Heard Mr. Ghaisas, learned counsel for the Applicants-Original Respondent Nos.1 to 5, and Mr. Joshi, learned counsel for the Original Appellant-Insurance Company.

2. This is an application preferred by the Respondents-Claimants for withdrawing the amount of compensation. It is submitted that, earlier also the similar request was made and Claimant No.5 was permitted to withdraw the amount of Rs.5,00,000/-, with adequate security.

3. Considering the age of Claimant No.5, the mother of the Deceased, which is 56 years, she is permitted to withdraw the entire amount of her share. As regards Claimant Nos.2 and 3, they being the minor children, the amount of their share is not permitted to be withdrawn. However, as regards Claimant No.1, the widow, she is permitted to withdraw the amount of Rs.5,00,000/-, with interest accrued thereon, subject to furnishing usual undertaking.

4. Civil Application is disposed off in the above terms.

[DR. SHALINI PHANSALKAR-JOSHI, J.]