

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

916 CIVIL APPLICATION NO.1302 OF 2019
IN FAST/33908/2018

RUBINABI ANWAR PATHAN @ RUBEENA BI WD/O ANWAR PATHAN
AND ORS

VERSUS

ICICI LOMBARD GENERAL INSURANCE CO. LTD., THR ITS
BRANCH MANAGER, AURANGABAD AND

...

Advocate for Applicants : Mr. Mayure Pramod C.
Advocate for Respondent No. 1 : Mr.A. G. Choudhari
(undertaking Given)

...

CORAM : SUNIL K.KOTWAL, J.

DATE : 19th MARCH, 2019

O R D E R :

Claimants have filed this application for withdrawal of the compensation amount deposited in this Court by the Insurance Company with accrued interest thereon.

2. Learned counsel for the insurance company has opposed this application.

3. I have gone through the award passed by the Tribunal. Total compensation of Rs. 7,58,500/- is awarded by the Tribunal. Out of this amount Rs. 3,00,000/- are invested in the name of claimant Nos. 2

and 3. Therefore, this invested amount cannot be withdrawn by the claimants.

4. Out of Rs. 4,58,500/-, permission is granted to the claimant Nos. 1, 4 and 5 to withdraw Rs. 2,58,500/-, with proportionate interest thereon, subject to filing of the written undertaking within the period of eight weeks from the date of passing of this Order in First Appeal to redeposit the withdrawn amount as and when directed by this Court.

5. Remaining amount shall be invested in fixed deposit, till final disposal of the appeal.

6. Civil Application is disposed of.

[SUNIL K.KOTWAL, J.]

mahajansb/