

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

919 CIVIL APPLICATION NO.2566 OF 2019
IN FA/40/2017

LATA SATISH MAHAJAN
VERSUS
SANDIP RATAN PATIL AND ANR

....

Advocate for Appellant : Ms. Savita P. Kakade (Matkar)
Advocate for Respondent No. 2 : Mr. V.N. Upadhye

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CORAM : V.L. ACHLIYA, J.

DATED : 11th APRIL, 2019

PER COURT:-

1. The applicant has moved this application for withdrawal of Rs.25,000/-, which was deposited by the appellant – insurance company as a statutory deposit.
2. Heard the learned counsel for the applicant and respondent no.2 - insurance company i.e. the appellant.
3. Learned counsel for the applicant no.2 - insurance company pointed out that the claim was settled for the amount of Rs.15,14,000/- and accordingly the amount has been paid to the applicant - claimant. Since the award is satisfied, the applicant is not entitled to withdraw the amount of statutory deposit made by the appellant - insurance company.
4. Learned counsel for the applicant conceded that in terms of the settlement arrived between the parties and as per the order dated 16.01.2017 passed by this Court (Coram : V.K. Jadhav, J.) in First Appeal No.40/2017, the applicants i.e. claimants have received the amount of compensation including interest.

5. In view of the receipt of the amount in terms of the award, the applicant is not entitled to withdraw the amount of statutory deposit made by the appellant - insurance company. Accordingly, the application is rejected.

6. The appellant is at liberty to apply for withdrawal of statutory deposit.

7. The application is disposed of.

(V.L. ACHLIYA)
JUDGE

SPR