

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

**993 CIVIL APPLICATION NO.3325 OF 2018
IN FA/1415/2017**

**PRIYANKA SANDEEP JADHAV AND ORS
VERSUS
THE RELIANCE GENERAL INSURANCE CO. LTD, THR ITS AUTHORIZED
OFFICIAL, AURANGABAD AND ANR**

...
Advocate for Applicants : Mr. Kale Mahesh P
Advocate for Respondent No.1 : A. S. Usmanpurkar
...

CORAM : SMT. VIBHA KANKANWADI, J.

DATE : 06th SEPTEMBER, 2019.

ORDER :

. Present application has been filed for withdrawal of the amount. Amount of Rs.16,37,333/- has been deposited as per the award. Learned Advocate appearing for respondent No.1 submits that appeal has been filed mainly on the point of quantum and negligence. Under such circumstance, definitely, case is made out for partial withdrawal of the amount. It is to be noted that applicant Nos.2 and 3 are minors and therefore, the share given to them cannot be allowed to be withdrawn. Amount can be allowed to be withdrawn to applicant Nos.1 and 4 only. Therefore, applicant No.1 is allowed to withdraw amount of Rs.5,00,000/- and applicant No.4 is allowed to withdraw amount of Rs.2,00,000/- subject

to filing an undertaking within a period of eight weeks that they would make the said amount good, if directed at the time of final disposal of the appeal.

2. Civil Application stands disposed of accordingly.

(SMT. VIBHA KANKANWADI, J.)

SCM