

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

935 CIVIL APPLICATION NO.4164 OF 2019  
IN  
FAST/36577/2017

ARCHANA DHAMMAPAL NARWADE AND ORS.  
VERSUS  
UNITED INDIA INSURANCE CO. LTD., THR ITS ADM  
OFFICER AND ORS.

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Mr. Y.K.Delmade, Advocate for Applicants.

Mr. S.S.Rathi, Advocate for R – 1.

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**CORAM : V.L.ACHLIYA, J.**

**DATE : 26/03/2019**

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**ORAL ORDER :**

1. The applicants/claimants have moved this application seeking withdrawal of amount of Rs. 33,23,770/- deposited by the appellant/insurance company in terms of the order passed by this Court to grant stay to the execution of award passed by the tribunal.

2. Heard the learned counsel for the applicants and the appellant/insurance company. Perused the Judgment and order passed by the tribunal as well as the grounds raised in the appeal.

3. Considering the submissions advanced, the challenges raised in the appeal and keeping in mind the interest of minor claimants i.e. applicant Nos. 2 to

4, the following order is passed.

**ORDER**

[i] Subject to out-come of appeal, applicant Nos. 1,5 and 6 are permitted to withdraw the amount of Rs. 2.5 Lakhs each out of the amount of Rs. 32,98,770/- deposited by the insurance company on their furnishing an undertaking to the satisfaction of the Registrar [Judicial] with condition that in the event the appeal is allowed or award is modified, the applicants shall re-deposit the amount in terms of the order within four weeks from the date of order.

[ii] The balance amount be invested in fixed deposit initially for the period of 28 months with standing instructions to re-invest the amount after the expiry of said period if amount is not withdrawn before the due date of maturity. The monthly interest accrued over the amount invested in fixed deposit be paid to applicant No. 1 after each month by transferring the amount in her savings account to be utilized for maintenance of herself as well as for her minor children i.e. respondent Nos. 2 to 4 and respondent Nos. 5 and 6.

4. The application is disposed of in above terms.

**[V.L.ACHLIYA]  
JUDGE**

KNP.