

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

950 CIVIL APPLICATION NO.5086 OF 2019

IN FAST/27263/2018

GANGASAGAR SUDAM YEDE AND ORS

VERSUS

**UNITED INDIA INSURANCE CO. LTD., THR ITS
ADMINISTRATIVE OFFICER, AURANGABAD AND A**

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Advocate for Applicants : Kurundkar Sunil V.

Advocate for Respondent No.1 : Mr. S.R. Bagal

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CORAM : SMT. VIBHA KANKANWADI, J.

DATE : 21st JUNE 2019

ORDER :

1. Present application has been filed for withdrawal of the amount by the original claimants. Present Respondent No.1 has deposited amount of Rs.12,76,931/- as per the order of this Court. The appeal has been filed contending that deceased was gratuitous passenger in a goods vehicle and therefore the risk was not covered.

2. Taking into consideration the situation right now, the Insurance Company is made liable to pay the said amount and taking into consideration the fact that sole earning member of the family of the applicant is expired, some amount needs to be allowed to be withdrawn for their survival.

3. Under such circumstance, applicant No. 1 is allowed to withdraw amount of Rs.6,00,000/- by submitting an undertaking that they would make good the said amount, if directed at the time of final disposal of the appeal.

4. Civil Application stands disposed of.

(Smt. Vibha Kankanwadi, J.)

Shubham/