

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

**912 CIVIL APPLICATION NO.6459 OF 2019
IN FA/2290/2018**

NATIONAL INSURANCE CO. LTD., THR ITS DIV. MANAGER, AURANGABAD
VERSUS

JAISHRI DATTA KHODWE AND ORS

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Mr. A.D. Gade & Mr. S.J. Salunke, Advocates for the applicants

Mr. S.V. Kulkarni, Advocate for the respondent No.1

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CORAM : SMT. VIBHA KANKANWADI, J.

DATE : 07th JUNE, 2019

PER COURT :

1 Present application has been filed for the withdrawal of the amount deposited. As per the Award total amount of Rs.11,62,240/- was awarded as a compensation together with interest @ 7% per annum. As per the order of this Court, the Insurance company-respondent No.1 has deposited amount of Rs.18,68,510/-. Since the quantum is also challenged it would be in the interest of both the parties to allow partial withdrawal only. Applicant Nos.3 and 4 are allowed to withdraw amount of Rs.1,00,000/- each and applicant No.1 is allowed to withdraw amount of Rs.2,00,000/- out of the said deposited amount. Applicant Nos.1, 3 and 4 to submit

undertaking to this Court within 15 days stating that in case the appeal is allowed then they will make good the said amount which has been withdrawn by them. With these observations application stands disposed of.

(Smt. Vibha Kankanwadi, J.)

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