

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

**993 CIVIL APPLICATION NO.7965 OF 2019
IN FA/2154/2015**

**RAMPRASAD JOKAN KANOJIYA AND ANR
VERSUS
NATIONAL INSURANCE CO. LTD. AND ORS**

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Advocate for Applicants : Mr. Sant Kishor C.
Advocate for Respondent No.1 : Mr. A. B. Gatne

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CORAM : SMT. VIBHA KANKANWADI, J.

DATE : 12th JULY 2019

ORDER :

. Present application has been filed for withdrawal of the amount deposited by present respondent No.1. Amount of Rs.6,43,350/- has been deposited. Learned Advocate for respondent No.1 has strong objection for withdrawal of the entire amount by the applicants. It is stated that the learned Member Motor Accident Claims Tribunal has given excessive amount of compensation, in case of death of 9 years old child. It is stated that amount of Rs.3,00,000/- is excessive.

2. Taking into consideration the points raised, case is made out for partial withdrawal of the amount. Applicants are allowed to withdraw amount of Rs.3,00,000/-. It be distributed equally between

them subject to giving an undertaking that they would make the said amount good, if directed at the time of final disposal of the appeal.

3. Civil Application stands disposed of accordingly.

(Smt. Vibha Kankanwadi, J.)

Shubham/