

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

**954 CIVIL APPLICATION NO.6857 OF 2019
IN FA/2386/2018**

GANPAT JANARDAN RAKTATE AND ANR

VERSUS

**SHRIRAM GENERAL INSURANCE CO. LTD., THR ITS
AUTHORIZED SIGNATORY JAIPUR AND ANR**

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Advocate for Applicants : Mr. Kanawade A.t.

Advocate for Respondent No.1 : Mr. S.G.

Chapalgaonkar

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CORAM : SMT. VIBHA KANKANWADI, J.

DATE : 21st JUNE 2019

ORDER :

. Present application has been filed for withdrawal of the amount. Respondent No.1 has deposited amount of Rs.7,17,270/-. The appeal has been filed by the Insurance Company on the ground that since, the deceased was travelling from the mudguard of the tractor his risk was not covered. However, the learned tribunal has wrongly held the insurance company liable jointly and severally along with respondent No.1. Since the Insurance Company

has been made liable, case is made out for partial withdrawal of the amount. Since, the sole earning member of the family has been expired, the applicants are allowed to withdraw amount of Rs.1,50,000/- each from the deposited amount subject to submitting undertaking that they would make good the said amount if directed at the time of final disposal of the appeal.

2. Civil Application stands disposed of.

(Smt. Vibha Kankanwadi, J.)

Shubham/