

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

**907 CIVIL APPLICATION NO.6903 OF 2019
IN FA/1174/2014**

**VANDANA GANESH RATHOD AND ANR
VERSUS
NEW INDIA ASSURANCE CO. LTD. AURANGABAD AND ORS**

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Advocate for Applicants : Mr. Paranjape Prakash S
Advocate for Respondent No.1 : Mr. A.B. Kadethankar
Advocate for Respondent Nos.3 & 4 : Mr. A.B. Salve

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CORAM : SMT. VIBHA KANKANWADI, J.

DATE : 13th SEPTEMBER, 2019.

ORDER :

. It appears that the first appeal itself was decided by this Court on 08.02.2019. The apportionment has been changed. Though present respondent Nos.3 and 4 were also the legal representatives of the deceased and certain amount has been allocated to them from the entire compensation amount, it is not necessary to wait for them. Their amount can be secured with this Court till they applied for the withdrawal. As regards present applicants are concerned, as per the order passed by this Court in first appeal itself, the amount has been apportioned. Applicant No.2 has been given 35% of the compensation with interest accrued

thereon and after keeping 40% with interest in respect of respondent nos.3 and 4 i.e. Ramji Rathod and Walubai Rathod, rest of the amount is directed to be given to applicant No.1. Therefore, the applicants are entitled to withdraw the amount deposited as per the award.

2. Civil Application stands disposed of accordingly.

(SMT. VIBHA KANKANWADI, J.)

SCM