

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

**1050 CIVIL APPLICATION NO.7203 OF 2019
IN FAST/7679/2019**

**MIRA SANDIP RAUT AND ORS
VERSUS
UNITED INDIA INSURANCE CO.LTD., THR ITS BRANCH MANAGER,
AURANGABAD AND ORS**

...
Advocate for Applicants : Mr. Mayure Pramod C
Advocate for Respondent No.1 : Mr. S. G.chapalgaonkar
...

CORAM : SMT. VIBHA KANKANWADI, J.

DATE : 5th JULY 2019

ORDER :

1. Present application has been filed for withdrawal of the amount. Respondent No.1 has deposited amount of Rs.11,26,718/- towards the award. The appeal is stated to have been filed on the ground that the learned tribunal has not taken into consideration the defence that has been taken by respondent No.1 that the vehicle insured with it, was shown to be involved at later point of time and therefore, the liability as well as quantum has been challenged.

2. Taking into consideration the fact that the competent Court has come to the conclusion that the said vehicle was involved and then proceeded to award the compensation, case is made out for partial

withdrawal of the amount by applicant Nos.1, 4 and 5 only.

3. Applicant Nos.1, 4 and 5 are allowed to withdraw amount of Rs.3,00,000/-, 1,00,000/- and 1,00,000/-, respectively subject to giving undertaking within a period of eight weeks that they would make good the said amount, if directed at the time of final disposal of the First Appeal.

4. Civil Application stands disposed of accordingly.

(Smt. Vibha Kankanwadi, J.)

Shubham/