

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

**1013 CIVIL APPLICATION NO.11486 OF 2018
IN FA/1759/2018**

**CHHAYABAI BHARAT PATIL
VERSUS
THE RELIANCE GENERAL INSURANCE CO. LTD., THR THE MANAGER**

...
Advocate for Applicant : Mr. Patil Shrikant S.
Advocate for Respondent : Mr. S.G. Chapalgaonkar

....
**1014 CIVIL APPLICATION NO.11488 OF 2018
IN FA/927/2018**

**SUNITA BHARAT PATIL (MINOR) THR HER FATHR BHARAT
VERSUS
THE RELIANCE GENERAL INSURANCE CO. LTD., THR MANAGER**

...
Advocate for Applicant : Mr. Patil Shrikant S.
Advocate for Respondent : Mr. S.G. Chapalgaonkar

...
**1015 CIVIL APPLICATION NO.11512 OF 2018
IN FA/862/2018**

**POONAM RAJENDRA PATIL (MINOR) THR GUARDIAN OF HER FATHER
RAJENDRA
VERSUS
THE RELIANCE GENERAL INSURANCE CO. LTD., THR ITS MANAGER,**

...
Advocate for Applicant : Mr. Patil Shrikant S.
Advocate for Respondent : Mr. S.G. Chapalgaonkar

...

CORAM : SMT. VIBHA KANKANWADI, J.

DATE : 4th OCTOBER, 2019.

ORDER :

. All these applications have been filed for withdrawal of the amount. The appellants have filed the appeals challenging the liability on the ground that there is breach of terms of policy in view of the fact that excess passengers were being carried by the offending vehicle at the relevant time.

2. Perusal of the impugned judgment would show that there was specific issue in respect of breach of terms of policy and it has been answered in the negative. Therefore, at this stage, the competent authority has come to the conclusion, under such circumstance, case is made out for partial withdrawal of the amount. All the claimants are allowed to withdraw 50% of the amount deposited in each of the matters.

3. Applicants shall file an undertaking within a period of eight weeks that they would make the said amount good, if directed at the time of final disposal of the appeals.

4. Civil Applications stand disposed of accordingly.

(SMT. VIBHA KANKANWADI, J.)

SCM