

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

**63 CIVIL APPLICATION NO.13618 OF 2019
IN FAST/35118/2017 WITH CA/13541/2017 IN FAST/35118/2017 WITH
CA/13542/2017 IN FAST/35118/2017**

**VIJAYALAXMI VINAYAKRAO SHIRURE AND ORS
VERSUS
THE NEW INDIA ASSURANCE CO. LTD., THR ITS AUTHORIZED
SIGNATORY S.S. MAKHARE, AURA**

...
Advocate for Applicants : Mr. Mundhe Sanjay V.
Advocate for Respondent no. 1 : Mr. M. M. Ambhore
...

CORAM : MANGESH S. PATIL, J.

DATE : 02.12.2019

PER COURT :

Heard both the sides.

2. This Court by the order dated 26.02.2019 has allowed the original claimants to withdraw 50% of the amount together with interest by furnishing usual undertaking.

3. By way of this application now the applicants are seeking apportionment of this amount to be withdrawn amongst themselves.

4. The applicant no.1 is the widow, applicant nos. 2 to 4 are the children out of which applicant no. 4 is still a minor and the applicant nos. 5 and 6 are the parents of the deceased.

5. Considering all the aforementioned aspects in my view instead of making any fraction, by modifying the order, applicant no.1 is allowed to

withdraw Rs.4,00,000/-, applicant nos. 2,3,5 and 6 are allowed to withdraw Rs.1,00,000/- each by furnishing usual undertaking.

(MANGESH S. PATIL, J.)

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