

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

**53 CIVIL APPLICATION NO.13955 OF 2019
IN FAST/5477/2019**

**HANMABAI RAMCHANDRA KHARATE AND ORS
VERSUS
NATIONAL INSURANCE CO. LTD., THR ITS AUTHORIZED SIGNATORY AND
ANR**

...
**Advocate for Applicants : Taher Ali Quadri
Adv.Ajit B. Kadethankar For R/1**

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**CORAM : MANGESH S. PATIL, J.
DATE : 04.12.2019**

PC. :-

Heard both the sides.

2] The learned advocate for the insurance company opposes the application on the ground that there is dispute as to the involvement of the vehicle in as much as the F.I.R. has been lodged couple of days after the accident and there is some discrepancy in mentioning the registered number of the truck.

3] I have carefully gone through the reasonings given by the Tribunal which come to the conclusion that the vehicle insured with the appellant insurance company was indeed involved in the accident.

4] Considering the fact that the applicants Nos.3 and 4 are still minor, in my considered view, nothing can be allowed to be withdrawn to their deprivation. The application only to the extent of applicant nos.1,2,5 and 6 is allowed. They are allowed to withdraw 75% of the amount of compensation

deposited in this Court which they have been found entitled to by the impugned award by furnishing usual undertaking.

[MANGESH S. PATIL, J.]

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