

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

43.1 CIVIL APPLICATION NO. 15143 OF 2018  
IN FA/3751/2018

SUNITA SATYAWAN GHAWATE AND ORS  
VERSUS  
UNITED INDIA INSURANCE CO. LTD., THR ITS AUTHORIZED SIGNATORY  
AURANGABAD

...

Advocate for Applicants : Mr. Sabnis, h/f Mr. M.M. Kadtu.  
Advocate for Respondent : Mr. S.S. Dargad, h/f Mr. Chapalgaonkar S.G.

**CORAM : MANGESH S. PATIL, JJ.**

**DATE : 19/11/2019**

**PER COURT :**

This is an application by the original claimants seeking withdrawal of amount of compensation deposited by the Insurance Company in this Court in terms of the impugned Judgment and Award.

2. The learned advocate for the respondent/Insurance Company submits that there is a dispute about contributory negligence and the non pecuniary damages have been awarded exorbitantly and therefore the entire amount may not be allowed to be withdrawn.

3. Considering the entire conspectus of the matter it would be appropriate to allow the original claimants to withdraw a lump sum of Rs.10,00,000/-(Rs.Ten Lakh) out of the amount deposited in this Court

which shall not adversely affect the claim of the minor claimants.

4. The withdrawal shall be subject to furnishing usual undertaking.

5. The Civil Application is disposed of.

( MANGESH S. PATIL, J. )

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