

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

1056 CIVIL APPLICATION NO.13459 OF 2018

SEEMA RANJIT WAVHAL AND OTHERS
VERSUS
NEW INDIA ASSURANCE CO. LTD., THROUGH ITS
AUTHORIZED SIGNATORY, AURANGABAD AND ANR.

...
Mr. M. S. Karad, Advocate for applicants.
Mr. A. B. Kadethankar, Advocate for Respondent No.1.
Mr. R. C. Bora, Advocate for Respondent No.2.

...
CORAM : SMT.VIBHA KANKANWADI, J.
DATE : 14-06-2019.

PER COURT :

1. Present application has been filed for withdrawal of the amount.
2. As per the order of this Court respondent NO.1 has deposited amount of Rs.4,90,770/-. The insurance company is challenging the award on the ground of involvement of the offending vehicle.
3. It is to be noted that, the sole earning member of the family has expired in the accident. Under such circumstance for the survival of the applicants, some arrangement has to be made.
4. Under such circumstance, the applicant No.1 allowed to withdraw amount of Rs.1,00,000/-. The applicants No.2 and 3 are allowed to withdraw amount of Rs.45,000/- each out of the said deposited amount subject to furnishing undertaking within on or before 12-07-2019 that they will make good the said amount in case they are directed in the final disposal of the first appeal. Accordingly the civil application is disposed of.

(SMT. VIBHA KANKANWADI)
JUDGE

vjg/-