

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO.12516 OF 2019
IN
FIRST APPEAL NO.2685 OF 2019
(Subhadra Shobhachand Bangar and others Vs. Future General Insurance
Co. Ltd. through its Manager)

Mr. Aniruddha A. Nimbalkar, Advocate for the applicants
Mr. Abhijit G. Choudhari, Advocate for respondent No.1

CORAM : MANGESH S. PATIL, J.

DATE : 03.12.2019

PER COURT :

Heard both the sides.

2. The original claimants are seeking withdrawal of the amount of compensation deposited by the Insurance Company which has been directed to pay the compensation first and recover it from the owner of the offending vehicle.

3. The deceased was in permanent employment. There is evidence that he was drawing salary. Apparently there is no serious infirmity in the assessment of compensation by the Tribunal. Considering all the above mentioned aspects, the applicants/claimants deserve to be paid 80% of the amount of compensation subject to furnishing usual undertaking.

4. The application is allowed. The applicants are allowed to withdraw 80% of the amount of compensation subject to the condition that they shall deposit the amount strictly in accordance with the award and furnish proof before the Registrar (Judicial) in terms of direction in clause 4(b) of the operative part of the award.

[MANGESH S. PATIL]
JUDGE

npj/ca12516-2019