

41 CIVIL APPLICATION NO.14498 OF 2018
IN FA/4671/2017

RUKMINIBAI SAHEBRAO GAIKWAD AND ORS ..Applicants
VERSUS
 RELIANCE GENERAL INSURANCE CO. LTD.,
 THR ITS AUTHORIZED OFFICIAL,
 YOGESH D DHASE & ANR .. Respondents

...

Advocate for Applicants : Shri P.D. Dadpe
Advocate for Respondent No.1 : Shri A.S. Usmanpurkar
Advocate for Respondent No.2 : Shri W.S. Jadhav

...

CORAM : P.R. BORA, J.
Dated: January 07, 2019

PER COURT :

1. Heard the learned Counsel for the applicants and the learned Counsel for the respondent – Insurance Company. In view of the submissions made, the following order is passed.

ORDER

- (i) The application is partly allowed.
- (ii) The applicants are permitted to withdraw 50% of the deposited amount on submitting an undertaking to the satisfaction of the Registrar (Judicial) of this Court.
- (iii) Balance 50% amount be invested in Fixed Deposit Receipt in any Nationalized Bank initially for the period of one

year and if so required, for the further period till disposal of the appeal.

(iv) 50% amount as has been permitted to be withdrawn, be transmitted to the Motor Accident Claims Tribunal at Osmanabad so as to facilitate its withdrawal by the applicants – Original claimants.

(v) The applicants are permitted to file an undertaking before the Motor Accident Claims Tribunal at Osmanabad and the learned Tribunal in turn shall forward the said undertaking to this Court.

(vi) List the matter for final disposal on **12.02.2019**.

(vii) Call for Record & Proceedings.

(PR. BORA, J.)