

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

32 CIVIL APPLICATION NO.1299 OF 2019
IN FA/2106/2018

PRATIKSHA HEMCHANDRA KULKARNI AND ORS
VERSUS
THE NEW INDIA ASSURANCE CO. LTD., THR ITS AUTHORIZED
OFFICIAL AURANGABAD AND ANR

....

Advocate for Applicants : Mr. Prasanna D. Dadpe
Advocate for Respondent No. 1 : Mr. A.S. Usmanpurkar

....

CORAM : P.R. BORA, J.

DATED : 04th FEBRUARY, 2019

PER COURT:-

1. Heard the learned counsel appearing for the respective parties. Perused the impugned judgment and award.
2. The original claimant nos. 2 to 4 since are minors, the Tribunal has directed the investment of the amount falling to their share to be invested in Fixed Deposit Receipt in any nationalized bank. The amount of Rs.12,66,595/- is allotted to the share of claimant no.1.
3. Considering the grounds of objections raised in exception to the impugned judgment, I deem it appropriate to pass the following order:-

ORDER

[i] The application is partly allowed.

[ii] Out of the amount of Rs.12,66,595/- allotted to the share of claimant no.1 i.e. Pratiksha Hemchandra Kulkarni, she is permitted to withdraw 60% of the same with interest accrued thereon on submitting an undertaking to the satisfaction of the Registrar of this Court. Balance 40% of her share with interest accrued thereon be invested in Fixed Deposit Receipt in any nationalized bank, for the period till disposal of the appeal.

[iii] Civil application stands disposed of.

[iv] By consent, the matter be listed for final disposal at the stage of admission on 21.02.2019.

**(P.R. BORA)
JUDGE**

Sudhir Rane