

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 3170 OF 2019
IN
FIRST APPEAL NO. 1300 OF 2019

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders.
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Mr. Vaibhav Gaikwad for the Applicant.
Mr. Sandeep Sharad Jinsiwale for the Respondent.

CORAM: K.K.TATED, J.
DATED : 17/10/2019

P.C.

- 1 Heard learned Counsel for the parties.
- 2 By this Civil Application, the Applicants are seeking permission to withdraw the amount deposited by the Insurance Company to satisfy the impugned Judgment and Award dated 24.01.2017 passed by the MACT, Satara in MACP No. 65 of 2014.
- 3 The learned Counsel for the Applicants submits that in accident which occurred on 20.12.2013, the deceased Sarjerao died, who was 42 years old at that time. He was agricultural labour. He was earning monthly Rs.20,000/- to 30,000/- per month.
- 4 The learned Counsel for the Applicants

submits that Applicant No.1 and Applicant No.4 are widows of the deceased. He submits that both of them are household wives and it is very difficult for them to maintain their families. In support of this contention, the learned Counsel for the Applicants relies on paragraph 6 of the Civil Application. He submits that the Applicants may be allowed to withdraw the amount.

5 Considering the submissions made by the learned Counsel for the Applicants and averments made in Civil Application, I am satisfied that Applicants can be permitted to withdraw 50% amount as per their share without furnishing any security, but subject to outcome of the First Appeal.

6 Hence, following order is passed:

a) Applicants original Claimants are permitted to withdraw 50% amount along with accrued interest as per their shares without furnishing any security, but subject to outcome of the First Appeal.

b) Civil Application stands disposed of accordingly.

c) No order as to costs.

(K.K.TATED, J.)