

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO.5128/2020
IN FIRST APPEAL NO.2518/2017

MEERA BABASAHEB JADHAV & OTHERS
VERSUS
RELIANCE GENERAL INSURANCE CO.PVT.LTD.
THROUGH ITS MANAGER, ABC, COMPLEX, ADALAT ROAD, AURANGABAD.

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Shri Shivraj B. Kadu, Advocate for applicants.

Shri S.G. Chapalgaonkar, Advocate for respondent no.1.

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CORAM: V.L. ACHLIYA, J.
DATE: 21.08.2020

PER COURT :

1] The applicants – claimants have moved this application seeking further withdrawal of amount for the reasons assigned in the application.

2] Heard learned counsel for the applicants – claimants and the learned counsel representing the respondent no.1 – insurance company.

3] In brief, it is the contention of learned counsel for the applicants that the applicant no.2 became major and secured admission in Medical College. The applicant nos.3 & 4 are also taking education. Recently applicant no.3 has passed 12th Standard examination. In order to meet the expenses of their education, the applicants require further amount for prosecuting their education.

4] On the other hand, learned counsel for the appellant –

insurance company submits that as per earlier order passed in the matter, amount of Rs.9,61,000/- has been permitted to be withdrawn by the applicants. By the same order, interest accrued over the amount kept in fixed deposit in the bank was directed to be paid to applicants on quarterly basis for their maintenance.

5] On due consideration of the submissions advanced in the light of overall challenge raised in the appeal and the pressing need made out by the applicants, request of the applicants deserves to be considered for partial withdrawal of amount.

6] Accordingly, the applicant nos.2 & 3 are allowed to withdraw amount to the extent of Rs.2,00,000/- and Rs.1,00,000/- respectively. For the purpose of education of applicant no.4, the applicant no.1 is permitted to withdraw amount to the extent of Rs.1,00,000/-. The amount be paid to applicant nos.1 to 3 by transferring the amount in their respective savings bank accounts.

7] The application is disposed of in above terms.

(V.L. ACHLIYA, J.)