

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

**52 CIVIL APPLICATION NO.7348 OF 2020
IN FAST/11345/2020**

**TEJ KOUR MAYASING TAK AND ORS
VERSUS
THE NEW INDIA ASSURANCE CO. LTD., THR ITS BR.
MANAGER, PARBHANI AND OTHERS**

...
Advocate for Applicants : Mr. Shinde Manoj D.
Advocate for Respondent/s : Mr. M. R. Deshmukh.
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**CORAM : V. K. JADHAV, J.
DATE : 04.11.2020**

PER COURT :-

1. Heard both the sides.
2. The respondent – insurer has preferred the appeal mainly on the ground that the risk is covered as per the Act policy to the extent of Rs.1,00,000/- only, however, this ground has not been considered by the Tribunal.
3. In view of the same, at present without prejudice to the contentions raised by both the parties, the applicants – original claimants are permitted to withdraw an amount of Rs.1,00,000/- along with the proportionate interest, if any. An

amount of Rs.1,00,000/- along with proportionate interest, if any, shall be transferred to the Motor Accident Claim Tribunal, Parbhani and the applicants – claimants are permitted to withdraw the said amount before the Tribunal.

4. Civil Application is disposed off.

(V. K. JADHAV, J.)

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vmk/-