

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

**920 CIVIL APPLICATION NO.9791 OF 2019
IN
FAST/2640/2019**

**RENUKA DATTA SONKAMBLE AND ORS.
VERSUS
THE DISTRICT SUPERINTENDENT OF
POLICE, BEED D.S.P OFFICER, BEED AND
ANR.**

...
Mr.M.M.Patil (Beedkar), Advocate for
applicants.
Mr.S.N.Morampalle, A.G.P. for R-1 & 2.

...

**CORAM : V.L. ACHLIYA, J.
DATE : 05/02/2020**

...

ORAL ORDER:

1. The applicants/claimants have moved this application seeking withdrawal of amount of Rs. 32,61,179/- deposited by the appellants.

2. Learned A.G.P. opposed the application with contention that appellants have good case to succeed in appeal. It is submitted that the Tribunal has erred in fastening the liability as against the appellants. The accident was occurred due to rash and negligent driving of driver of tractor.

3. On due consideration of submissions advanced in the light of Judgment and Award passed by Tribunal, I am of the view the following order would meet the ends of justice.

ORDER

The applicants are permitted to withdraw the amount to the extent of 50% of amount deposited on furnishing written undertaking to the effect that in the event the Award is set aside, the applicants shall deposit said amount within four weeks. Out of amount allowed to be withdrawn, the amount to the extent of 75% be paid to applicant No. 1 and 25% to applicant No. 2 on furnishing undertaking. The balance amount be deposited in fixed deposit in any nationalized bank initially for two years with standing instructions to renew the same till further orders from the Court.

4. Civil Application disposed of in above terms.

**[V.L.ACHLIYA]
JUDGE**

KNP