

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

**945 CIVIL APPLICATION NO.15186 OF 2019
IN FIRST APPEAL NO.108 OF 2009**

**REKHA LAXMANRAO DEVKARE & ANOTHER
VERSUS
TUSHAR AGRAWAL & ANOTHER**

...
Advocate for Applicants : Mr.D.Y.Nandedkar
Advocate for Respondent no.2 : Mr.Mohit R.
Deshmukh h/f.Mr.S.G.Chapalgaonkar
...

**CORAM : V.L.ACHLIYA,J.
DATE : 03.01.2020**

P.C.:

1] The applicants have moved this application for withdrawal of amount of Rs.6,66,435/- deposited by the appellant—Insurance Company in terms of judgment and order passed by this Court.

2] Heard learned counsel for the applicants—original claimants and the advocate representing the respondent no.2—appellant—Insurance Company.

3] Learned counsel for the appellant—Insurance Company submits that the appellants have no objection to allow the applicants to withdraw amount deposited.

4] On due consideration of the submissions advanced and the fact that the claim petition has been finally decided, I am of the view that the applicants—original claimants are entitled to withdraw the amount deposited by appellant—Insurance Company. The amount deposited by the Insurance Company i.e. sum of Rs.6,66,435/- with interest, if any, accrued over the said amount, be paid to the applicant nos.1 and 2 in equal proportion, by transferring amount in their respective savings account.

5] Civil Application is disposed of in above terms.

[V.L.ACHLIYA]
JUDGE

DDC