

IN THE HIGH COURT OF JUDICATURE OF BOMBAY

BENCH AT AURANGABAD

CIVIL APPLICATION NO.2275 OF 2021 IN

FIRST APPEAL NO.2370 OF 2020

Daji s/o Sandipan Bhuite & anr.

... **APPLICANTS**

VERSUS

Reliance General Insurance Co. Ltd.
& anr.

... **RESPONDENTS**

.....
Shri S.B. Choudhari, Advocate for applicants
Shri S.S. Patil, Advocate for respondent No.1.
.....

CORAM : R. G. AVACHAT, J.

DATE : 11th JUNE, 2021

PER COURT :

The applicants hereby seek withdrawal of the amount of compensation deposited in this Court by the respondent No.1 – Insurance Company pursuant to the order dated 7/12/2020.

2. Heard Mr. Choudhari, learned counsel for the applicants and Mr. Patil, learned counsel for respondent No.1. Perused the application and the impugned award. The

applicants are the parents of the deceased. The spot panchanama indicates involvement of the offending vehicle. The deceased was standing at the road side. His motorcycle was parked by his side. The offending vehicle knocked him down.

3. The deceased was an income tax payer. It would not be desirable to make further observations as it may amount to considering the merits of the appeal. Suffice it to say that it is a fit case to allow the applicants to withdraw 70% of the amount deposited in this Court in terms of the Tribunal's order, on furnishing undertaking. The balance amount be kept in fixed deposit with any of the nationalised Bank, pending appeal. Civil Application is disposed of accordingly.

(R. G. AVACHAT)
JUDGE

fmp/-