

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 3774 OF 2021
IN FIRST APPEAL NO.235 OF 2014

SUVARNA SANJAY PATIL AND ORS
VERSUS
THE NEW INDIA ASSURANCE COMPANY LTD

...
Advocate for Applicants : Mr. Shailesh P. Brahme
Advocate for Respondent No.1 : Mr. Dhananjay P. Deshpande
...

CORAM : ANIL S. KILOR, J.

DATE : 1st APRIL, 2021

PER COURT :-

This application is moved by the applicants-original claimants for withdrawal of amount in view of marriage ceremony to be performed on 05-04-2021 of applicant No. 2.

2. Mr. Deshpande, learned counsel for respondent no. 1 – Insurance company, opposed the application on the ground that on earlier occasion an amount of Rs.8,00,000/- was permitted to be withdrawn by the widow and amount of Rs.2,00,000/- was permitted to be withdrawn by the mother of the deceased.

3. Learned counsel for the applicants-claimants submits that though amount of Rs.2,00,000/- was permitted to be withdrawn by mother of the deceased, however, said amount was not withdrawn.

4. Mr. Deshpande, learned counsel for insurance company is not disputing the marriage ceremony on 05-04-2021 of the applicant No.2.

5. In that view of the matter, the applicants-claimants are permitted to withdraw Rs.2,00,000/- as requested for, on furnishing undertaking to the effect that, in case, Insurance Company succeeds in the present matter and this Court directs the applicants-claimants to repay the amount back, they will deposit the amount so withdrawn within stipulated period.

6. The Registry is directed to permit the applicant No.1 to withdraw the aforesaid amount on furnishing undertaking as referred above.

7. Accordingly, application is partly allowed in above terms.

8. With this direction, the civil application is disposed of.

(ANIL S. KILOR)
JUDGE