

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

**924 CIVIL APPLICATION NO.5526 OF 2021
IN FA/109/2019**

**SHARDA VISHWAJIT PATIL AND ORS
VERSUS
THE NEW INDIA ASSURANCE CO. LTD., THR ITS AUTHORIZED SIGNATORY,
AURANGABAD AND ANOTHER**

Advocate for Applicants : Mr. Kakade Yuvraj V.
Advocate for Respondent No.1 : Mr. M. M. Ambhore

CORAM : SHRIKANT D. KULKARNI, J.

DATE : 29th June, 2021.

ORDER:

1. This is an application moved by the applicants seeking permission to withdraw an amount of Rs.2 lakhs deposited by respondent No.1 as per order of this Court dated 2nd November, 2018, in this Court.
2. Heard Mr. Kakade, the learned advocate for the applicants and Mr. Ambhore, learned Advocate appearing for respondent No.1- New India Assurance Co. Ltd. Perused copy of the medical certificate issued by Dr. V.K.Patil Memorial Hospital, Ahmednagar, dated 19.02.2021.
3. On perusing the medical certificate, it is evident that the applicants are in need of the money for knee transplantation surgery of applicant No.3. The Hospital has given estimate of Rs. 2 Lakhs and therefore they are in need of Rs.2 lakhs. Having regard to the genuine need of the applicants, it is necessary to allow the application.
4. With this, I conclude and proceed to pass following order:

ORDER

- i. The application is hereby allowed in terms of prayer Clause 9(B).
- ii. Civil application stands disposed of.

(SHRIKANT D. KULKARNI, J.)