

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

**CIVIL APPLICATION NO.3871 OF 2021 IN
FIRST APPEAL NO.12 OF 2021**

Akansha Vikas Batav & ors. ... **APPLICANTS**

VERSUS

National Insurance Company Ltd. & anr. ... **RESPONDENTS**

.....
Mr. V.P. Patil, Advocate for applicants
Mr. A.S. Usmanpurkar, Advocate for respondent No.1
.....

CORAM : R. G. AVACHAT, J.

DATE : 11th AUGUST, 2021

PER COURT :

Liberty to correct name of respondent no.1 in title clause of the application.

2. Heard. Perused the impugned award. According to learned counsel for the appellant Insurance Company, the claim petition dates back to 2009, but has been decided in 2019 for the fault of the claimants in not diligently pursuing their claim petition and thus, the appellant was required to pay interest more than the claim amount. According to him, there are other grounds as well, on which he has hope of

success in the appeal. Considering the same, the applicants are permitted to withdraw 50% of the amount deposited, on furnishing usual undertaking. The amount payable to applicant No.2 be kept in Fixed Deposit in any of the Nationalised Bank until he attains majority. The amount be paid to the applicants in proportion given in the impugned award. Civil Application is disposed of.

**(R. G. AVACHAT)
JUDGE**

fmp/-