

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

**CIVIL APPLICATION NO.5470 OF 2021 IN
FIRST APPEAL NO.88 OF 2021**

Surekha Ravikant Yadav & ors. ... **APPLICANTS**

VERSUS

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

.....
Mr. V.P. Patil, Advocate for applicants
Mr. V.R. Mundada, Advocate for respondent No.1
Mr. V.B. Spatil, Advocate for respondent No.3.
.....

CORAM : R. G. AVACHAT, J.

DATE : 11th AUGUST, 2021

PER COURT :

Heard. The learned counsel for the appellant Insurance Company submits that, the applicants – claimants have all been 30 plus. None of them was in fact dependent on the deceased. The appellant Insurance Company has deposited not less than Rs.97 Lakhs. If the amount is paid to the applicants, it would be very difficult to recover the same in case the appeal is allowed.

2. I have considered the submissions. Perused the

impugned award. I am inclined to permit the applicants to withdraw 30% of the amount deposited in this Court on furnishing usual undertaking. Civil Application is disposed of.

3. Record and proceedings be called for.

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

fmp/-