

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

**CIVIL APPLICATION NO.6127 OF 2021
IN FA/1648/2020**

**MANDABAI ASHOK MALI AND ORS
VERSUS
THE ORIENTAL INSURANCE CO. LTD.,
THROUGH ITS THE DIVISIONAL MANAGER,
AURANGABAD AND ORS**

Mr.A.S.Sawnt, Advocate for applicants
Mr.M.K.Goyanka, Advocate for respondent no.1

**CORAM : R.G. AVACHAT, J.
DATE : JULY 14, 2021**

ORDER :-

Heard.

2. Learned counsel for the applicants states that the Tribunal has not awarded any compensation to applicant no.3 – Vinay. He further states that applicant no.4 – Santosh has passed away and applicant nos.1, 2 and 5 are Class-I heirs of the deceased of applicant no.4. The Tribunal has already apportioned the amount of compensation.

3. Learned counsel for respondent no.1 – insurance company submits that the deceased was negligent. Moreover, the compensation awarded has been on higher side.

4. On considering the rival submissions advanced by learned counsel for the parties and after going through the impugned award, applicant nos.1, 2 and 5 are permitted to withdraw 50% of the amount awarded by the Tribunal and deposited in this Court along with the interest accrued thereon.

5. The application is disposed of accordingly.

[R.G. AVACHAT, J.]

KBP