

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

**CIVIL APPLICATION NO. 6185 OF 2021
IN
FIRST APPEAL NO. 131 OF 2021**

Navida Ekbal @ Munna Shaikh
and Others

..APPLICANTS

VERSUS

National Insurance Co. Ltd.
Through it's Manager, Aurangabad
and Others

..RESPONDENTS

....
Mr. A.S. Pavse, Advocate for applicants
Mr. S.R. Bodade, Advocate for respondent no.1
....

**CORAM : R.G. AVACHAT, J.
DATE : 16th JULY, 2021**

PER COURT :

1. Heard. Perused the impugned award.
2. Learned counsel for the insurance company has very strong objection for permitting withdrawal of amount more than 30%. According to him, charge-sheet has been filed against driver of the traveller. Traveller vehicle has dashed the stationary vehicle from behind. He claims to have very good case in appeal. He also submits that award is on higher side. He took me through the evidence of Chartered Accountant in that regard.

3. Considering the submission advanced, I permit the applicants to withdraw 60% of the amount deposited in this Court, on furnishing an undertaking to the satisfaction of the Registrar (Judicial) of this Court. Balance 40% amount be invested in fixed deposit in any nationalised bank until disposal of appeal. Civil application stands disposed of accordingly.

(R.G. AVACHAT, J.)

SSD