

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

**CIVIL APPLICATION NO. 13834 OF 2021
IN
FIRST APPEAL NO. 24 OF 2021**

Swati wd/o Vinod Chaudhari and others ... Applicants

Versus

Cholamandalam General Insurance Co.Ltd.
and another

... Respondents

....

Mr. Vinod P. Patil, Advocate for applicants

Mr. S. G. Chapalgaonkar, Advocate for respondent No.1

....

CORAM : R. G. AVACHAT, J.

DATED : 21st DECEMBER, 2021

PER COURT :-

. Heard.

2. The challenge is mainly on the ground of contributory negligence and quantum as well. It is stated that it was a head on collision between the motorcycle and trailer. In the facts and circumstances, the applicants who are five in number, are permitted to withdraw 60% of the amount under the impugned award with interest accrued thereon on furnishing usual undertaking.

3. The amount be paid in terms of the apportionment made by the Tribunal. The amount payable to the minors be kept in fixed deposit until they attain the age of majority. On their attaining the majority, the amount be paid them without back reference to this Court.

4. The amount payable to the claimants, be transferred to the concerned Tribunal for being paid to them, there.

5. The civil application is accordingly disposed of.

[R. G. AVACHAT, J.]

SMS