

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

**CIVIL APPLICATION NO. 9076 OF 2021
IN
FIRST APPEAL NO. 406 OF 2019**

Rani wd/o Vijay Moholkar and others ... Applicants

Versus

Shriram General Insurance Co. Ltd. and others ... Respondents

....

Mr. G. S. Rane, Advocate for applicants

Mr. S. S. Dargad, Advocate h/f Mr. S. G. Chapalgaonkar, Advocate for
respondent No.1

....

CORAM : R. G. AVACHAT, J.

DATED : 15th SEPTEMBER, 2021

PER COURT :-

. Heard.

2. Learned Advocate for the appellant – insurance company states that the Court has earlier passed a very detailed order, permitting withdrawal of rupees Twenty Five Lakh. According to him, the challenge in this appeal is on the grounds of quantum and contributory negligence of the deceased.

3. It appears that the application has been moved on medical reasons. Applicant No.3 is said to have suffered paralysis attack in the recent past and he is in need of money.

4. In para 8 of the order dated 18.01.2019, it has been observed that since the impugned judgment is challenged mainly on the ground of quantum, the appeal could be decided finally at admission stage.

5. The award is of Rs.84,84,184/- with interest at the rate 7% p.a. In view of the same, the applicants are permitted to withdraw Rs.15,00,000/- (Rupees Fifteen Lakh).

6. The civil application is disposed of.

[R. G. AVACHAT, J.]

SMS