

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

**CIVIL APPLICATION NO.9549 OF 2021 IN
FIRST APPEAL NO.894 OF 2021**

Sarla Abhimanue Walke & ors. **... APPLICANTS**

VERSUS

The New India Assurance Co. Ltd.
and others **... RESPONDENTS**

.....
Mr. A.S. Pavse, Advocate for applicants
Mr. M.M. Ambhore, Advocate for respondent No.1.
.....

CORAM : R. G. AVACHAT, J.

DATE : 30th September, 2021

PER COURT :

Heard. Learned counsel for the appellant – Insurance Company submits that, it is a case of contributory negligence. Quantum has also been challenged. In the fitness of things, the applicants are permitted to withdraw 65% of the amount deposited. The amount be paid to the applicants equally. The amount payable to the minor applicants be kept in fixed deposit until they attain majority. Civil Application is disposed of.

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

fmp/-