

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

**CIVIL APPLICATION NO. 10812 OF 2019
IN
FIRST APPEAL STAMP NO. 15380 OF 2018**

Kavita Balaji Londhe and others ... Applicants

Versus

The New India Assurance Company Ltd. & ors ... Respondents

....

Mr. P. M. Gaikwad, Advocate for the applicants

Mr. M. M. Ambhore, Advocate for respondent No.1

....

CORAM : R. G. AVACHAT, J.

DATED : 02nd MARCH, 2021

PER COURT :-

. Heard.

2. The respondent No.1-insurer has deposited the amount of compensation before this Court in response to the award passed by the Tribunal. The applicants-original claimants have filed this civil application for withdrawal of the said amount.

3. Learned counsel for the applicants-original claimants submits that applicant No.1 is the widow of deceased and applicant Nos. 2 and 3 are the children. The deceased was earning member of the family.

4. Learned Advocate for the respondent No.1 – insurance company opposed to grant the application.

5. Perused the impugned award.

Since the breadwinner of the family is no more, it would be desirable to allow the applicants to withdraw 75% of the amount of compensation deposited in this Court.

6. Out of the amount of compensation deposited in this Court, 75% amount be paid to the applicants on furnishing usual undertaking to the satisfaction of the Registrar (Judicial) of this Court. The applicant No.1 shall furnish undertaking on behalf of her minor sons (applicant Nos.2 and 3).

7. Civil application is accordingly disposed of.

[R. G. AVACHAT, J.]

SMS