

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

CIVIL APPLICATION NO. 10985 OF 2021

IN

FIRST APPEAL NO. 2395 OF 2020

Shamrao Ramchandra Shirke and other ... Applicants

Versus

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

....

Mr. Y. V. Kakde, Advocate for applicants

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

Mr. V. R. Mundada, Advocate for respondent No.3

Mr. A. D. Wange, Advocate for respondent No.4

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CORAM : R. G. AVACHAT, J.

DATED : 08th OCTOBER, 2021

PER COURT :-

. Heard.

2. It is a case of composite negligence. The liability has been apportioned in the ratio of 50 : 50. The Insurance Company is in appeal. The appellant - Insurance Company has deposited 50% of the amount under the impugned award.

3. The applicants are permitted to withdraw entire amount deposited by the appellant – Insurance Company, with interest accrued thereon.

4. The civil application is accordingly disposed of.

[R. G. AVACHAT, J.]

SMS