

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

CIVIL APPLICATION NO. 12714 OF 2021

IN

FIRST APPEAL NO. 1062 OF 2017

Charushila wd/o Devidas Shelke and others ... Applicants

Versus

Madhav @ Mahadeo Vikram Khedkar & Ors ... Respondents

....

Mr. S. B. Rajebhosale, Advocate for applicants

Mr. D. P. Deshpande, Advocate for respondent No.3

....

CORAM : R. G. AVACHAT, J.

DATED : 06th DECEMBER, 2021

PER COURT :-

. Heard.

2. It is a death claim. Learned Advocate for the applicants - claimants insists for withdrawal of amount. Learned Advocate for the appellant – Insurance Company claims to have good case on the ground of contributory negligence and no licence at all.

3. Considered the rival submissions. Perused the impugned award.

4. In the fitness of things, the applicants are permitted to withdraw a sum of Rs.1,50,000/- (Rupees One Lakh Fifty Thousand) on furnishing usual undertaking to the satisfaction of the Registrar (Judicial) of this Court.

5. The application is accordingly disposed of.

[R. G. AVACHAT, J.]

SMS