

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

**CIVIL APPLICATION NO. 13300 OF 2021
IN
FIRST APPEAL NO. 893 OF 2021**

Shaikh Seema Bee Shaikh Irfan and others ... Applicants

Versus

The New India Assurance Co. Ltd. and another ... Respondents

....

Mr. M. D. Shinde, Advocate for applicants

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

....

CORAM : R. G. AVACHAT, J.

DATED : 10th DECEMBER, 2021

PER COURT :-

. Heard. Perused the impugned award.

2. It is a death claim. The defence was want of permit, validity of driving licence and fitness certificate.

3. Learned Advocate for the applicants informs that the grounds of fitness and permit has been raised in the written statement. The Tribunal with reasoned order ignored the same. As regards validity of driving licence is concerned, the order as to pay and recover, may be passed.

4. In view of the above, the applicants are permitted to withdraw 70% of the amount under the impugned award with interest accrued thereon as against undertaking.

5. The amount to be transmitted to the Tribunal, Parbhani, for being paid to the claimants there.

6. The civil application is accordingly disposed of.

[R. G. AVACHAT, J.]

SMS