

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

**CIVIL APPLICATION NO. 14795 OF 2019
IN
FIRST APPEAL NO. 2385 OF 2018**

Ushabai Nandkishor Kadam and others ... Applicants

Versus

The Branch Manager,

United India Insurance Company Ltd. & ors ... Respondents

....

Mr. V. B. Dhage, Advocate for the applicants

Mr. S. R. Badade, Advocate for respondent No.1

Mr. B. N. Patil, Advocate for respondent No.3

....

CORAM : R. G. AVACHAT, J.

DATED : 23rd JULY, 2021

PER COURT :-

. Heard.

2. This is the second application for withdrawal of the amount. It is a death claim. Learned Advocate for the appellant – insurance company claims to have a very good case in appeal.

3. Considered the rival submissions. The amount under the award is Rs.17,53,400/-. The applicants were permitted to withdraw Rs.5,00,000/- (Rupees Five Lakh) thereof. Rest of the amount has

been kept in fixed deposit with a direction to pay the applicants interest accruing thereon, quarterly. The said order is now being modified as under:-

4. The applicants be paid a sum of Rs.5,00,000/- from the amount in deposit. The balance amount be kept in fixed deposit, pending the appeal.

5. It is reported that the applicant No.6 is no more. The applicant Nos. 1 to 5 are the only heirs/legal representatives of deceased applicant No.6. The amount payable to the deceased applicant No.6, be also paid to these applicants.

6. The amount to be paid to the applicants, be transferred to the Tribunal for being paid to the applicants.

7. The civil application stands disposed of accordingly.

[R. G. AVACHAT, J.]

SMS