

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

**CIVIL APPLICATION NO. 1098 OF 2022
IN
WRIT PETITION NO. 12078 OF 2019**

Sangita Karbhari Tayade

...Applicant

Versus

The National Insurance Co. Ltd.,
through it's Authorized Signatory

...Respondent

.....

Shri. Rupesh A. Jaiswal, Advocate for the applicant

Shri. Dhananjay P. Deshpande, Advocate for the respondent

.....

**AND
WRIT PETITION NO. 12078 OF 2019**

CORAM : PRITHVIRAJ K. CHAVAN, J.

DATE : MARCH 7TH, 2022

PER COURT : -

1. This is an application by the applicant seeking withdrawal of the amount of Rs. 2.00 lakhs with interest deposited by the petitioner/Insurance Company in this Court pursuant to an order dated 04.10.2019.

2. Heard the learned Counsel for the parties.

3. The learned Counsel for the applicant has drawn my attention to a scheme issued by the Government of Maharashtra,

namely, 'Gopinath Munde Shetkari Apghat Vima Yojana', by which the deceased was entitled to an amount of Rs. 2.00 lakhs. He submits that the aim and object of the scheme is to provide immediate relief to the victim's family. The incident in question had occurred way back on 25.04.2018. Almost three years have elapsed but the applicant, who is the widow of the deceased, has not received any amount of which she is in dire need. It is also brought to my notice that the applicant has three little children out of which one child is 100% disabled. The amount is required to make the educational and other expenses. The learned Counsel for the Insurance Company objects to the withdrawal by stating that identical matters are placed before the Division Bench of this Court on 22.03.2022.

4. The learned Counsels for the applicant and the Insurance Company are *ad idem* to place the petition before the Division Bench.

5. Looking to the grounds raised in the application, the applicant is permitted to withdraw the amount of Rs. 2.00 lakhs deposited by the petitioner/Insurance Company with interest as stipulated in the order dated 04.10.2019. The applicant shall give an undertaking that in case the petition succeeds, she will deposit the amount with interest in the Registry.

6. Registry is directed to club the Writ Petition No. 12078 of 2019 along with the identical petitions placed before the Division Bench.
7. Civil Application is accordingly disposed off.
8. This order shall not be cited as a precedent.

[PRITHVIRAJ K. CHAVAN]
JUDGE