

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

911 CIVIL APPLICATION NO.2133 OF 2022
IN FA/837/2012

SANGITA PRAMOD FAND AND OTHERS
VERSUS
THE UNITED INDIA INSURANCE CO. LTD,
THROUGH DIVISIONAL MANAGER AURANGABAD AND OTHERS

...
Advocate for Applicants : Mr. Pramod C. Mayure.

Advocate for Respondent No.1: Mr. S. S. Dargad, h/f Mr. A. G. Kanade.

...

CORAM : **SHRIKANT D. KULKARNI, J.**

DATE : 20th April, 2022.

P.C.:

. It is an application for withdrawal of compensation amount moved by the applicants/claimants in the background that applicant No.2 Rushikesh and Applicant No.3 Rupesh have now become major and they are taking education in college.

2 Heard Mr. Mayure, learned counsel for the applicants and Mr.Dargad, holding for Mr. Kanade, learned counsel for the insurance company. Perused the earlier order passed by this Court in Civil Application No.11134 of 2012 dated 18th December, 2012.

3 The learned counsel for applicants seeks leave to place on record Bonafide certificates and statements of marks of applicant Nos.2 and 3. Leave granted. The same are taken on record and

marked as 'X' collectively for identification.

4 On perusing the Bonafide certificates and statements of marks, it is revealed that applicant No.2 Rushikesh and Applicant No.3 Rupesh are taking education in the college. They have now become major. They are in need of money to satisfy their education expenses. By considering all these aspects and looking to the genuine need expressed by the applicants regarding educational expenses of applicant Nos.2 and 3, I am convinced to allow applicant Nos.2 and 3 to withdraw 25% of the amount of compensation with accrued interest thereon. Hence, the following order is passed:

ORDER

- I. The application is hereby allowed as under:
- II. Applicant No.2 (Rushikesh s/o Pramod Fand) and Applicant No.3 (Rupesh s/o Pramod Fand) are hereby permitted to withdraw 25% of the amount of compensation with accrued interest thereon on furnishing usual undertaking with the Registrar (Judicial) of this Court.
- III. The application is accordingly disposed of.

[SHRIKANT D. KULKARNI, J.]