

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

CIVIL APPLICATION NO.3598 OF 2022 IN FA/1287/2010

SK. HANEEFABEE W/O SK. OSMAN AND OTHERS
VERSUS
UNITED INDIA INSURANCE CO. LTD. THROUGH ITS
AUTHORIZED SIGNATORY, AURANGABAD AND ANOTHER

....

Mr. Swapnil S. Dargad, Advocate for the Applicants

Mr. V.R. Mundada, Advocate for Respondent No.1

Mr. Tejas A. Pradhan, Advocate h/f Mr. S.S. Thombre, Advocate
for Respondent No.2

....

CORAM : SHRIKANT D. KULKARNI, J.

DATE : 29th MARCH, 2022

PER COURT:-

1. The applicants have moved this application with four prayers as shown in the prayer clauses (A) to (D).

3. Heard Mr. Dargad, learned counsel for the applicants, Mr. Mundada, learned counsel for respondent no.1 / insurance company and Mr. Pradhan holding for Mr. S.S. Thombre, learned counsel for respondent no.2.

3. The applicants are seeking relaxation of condition in respect of furnishing solvent security while withdrawing their 50%

amount of compensation. They are ready to furnish the undertaking to that effect.

4. Mr. Mundada, learned counsel for respondent no.1 / insurance company opposed to relax that condition in order to protect the interest of the insurance company. However, the undertaking would take care of the interest of the insurance company. As such, that modification can be allowed.

5. So far as the withdrawal of the compensation in respect of applicant no.2, as per the name appearing on her Aadhaar Card as Parveen Anwar Shaikh. That also can be allowed.

6. It is stated that respondent no.1 / insurance company has not deposited the remaining amount with accrued interest thereon as per the order passed by this Court dated 01.10.2010. Mr. Mundada, learned counsel for respondent no.1 / insurance company submitted that he has no instructions to that effect.

7. Having considered the submissions of both the sides, I proceed to pass the following order:

ORDER

(i) The application is hereby allowed in terms of prayer clause (A) to (C).

(ii) If, respondent no.1 / insurance company has not deposited the remaining amount of compensation as per the order passed by this Court dated 01.10.2010 along with accrued interest thereon, it shall be deposited within six weeks from today.

(iii) The civil application is accordingly disposed of.

[SHRIKANT D. KULKARNI]
JUDGE

S.P. Rane