

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

CIVIL APPLICATION NO.5121 OF 2022 IN FA/1757/2016

VAISHNAVI D/O BABARAO LOHAR AND ANOTHER
VERSUS
NEW INDIA ASSURANCE COMPANY LTD SATARA THROUGH
BRANCH MANAGER, AURANGABAD AND ANOTHER

....
Mr. S.N. Patne, Advocate for the Applicants
Mr. S.G. Chapalgaonkar, Advocate for Respondent No.1
....

CORAM : SHRIKANT D. KULKARNI, J.

DATE : 27th APRIL, 2022

PER COURT:-

1. It is an application for withdrawal of compensation amount moved by the applicants / claimants since the applicant No.2 has now become major.
2. Heard Mr. S.N. Patne, learned counsel for the applicants and Mr. S.G. Chapalgaonkar, learned counsel for respondent No.1 / insurance company.
3. It is revealed during the course of argument that the Tribunal was pleased to award the compensation of Rs.74,38,000/- with interest at the rate of 8% per annum. The insurance company has deposited Rs.50,00,000/- in this Court. Out of 50,00,000/-,

Babarao Sidram Lohar (husband of the deceased) had withdrawn Rs.10,00,000/-. Applicant No.1 Vaishnavi Ababaro Lohar (daughter of the deceased) had withdrawn Rs.10,00,000/-. Now, applicant No.2 Vaibhavi Babarao Lohar has become major, also seeking withdrawal of the compensation amount. On the same line, she can be allowed to withdraw Rs. 10,00,000/-

ORDER

(i) The application is hereby allowed.

(ii) Applicant No.2 is hereby permitted to withdraw Rs.10,00,000/- with accrued interest from the amount of compensation deposited by the insurance company on furnishing usual undertaking to the satisfaction of the Registrar (Judicial) of this Court.

(iii) The civil application is accordingly disposed of.

[SHRIKANT D. KULKARNI]
JUDGE

S.P. Rane