

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

907 CIVIL APPLICATION NO.5628 OF 2022
IN FA/1871/2021

SMT. JAYSHREE RAHUL SABALE AND OTHERS
VERSUS
THE RELIANCE GENERAL INSURANCE CO. LTD., THR ITS LEGAL
OFFICER AURANGABAD AND ANOTHER

...
Advocate for Applicants : Mr. Ashraf Patel, h/f Mr. Abhijeet P. Avhad.
Advocate for Respondent No.1 : Mr. S. S. Patil.
...

CORAM : **SHRIKANT D. KULKARNI, J.**
DATE : 05th May, 2022.

P.C.:

. It is an application for withdrawal of compensation amount moved by the applicants/claimants.

2 Heard Mr. Ashraf Patel, holding for Mr. A. P. Avhad, learned counsel for the applicants/claimants and Mr. S. S. Patil, learned counsel for respondent No.1. Perused the impugned judgment and award passed by the Tribunal. It is a death claim.

3 It is revealed during course of argument that the appellant/insurance company has challenged the impugned judgment and award mainly on the ground of quantum. As such, it would be appropriate to allow the claimants/applicants to withdraw *lump-sum* amount by looking to the fact that in all eight lakhs have been invested

in the name of minor children, in the name of widow and in the name of parents. Hence, the following order is passed:

ORDER

- I. The application is hereby allowed as under:
- II. Applicant Nos.1, 4 and 5 are hereby permitted to withdraw *lump-sum* amount of Rs.5,00,000/- (Rupees Five Lakhs Only) out of the compensation amount deposited by the appellant/insurance company in this Court on furnishing usual undertaking to the satisfaction of the Registrar (Judicial) of this Court.
- III. The application is accordingly disposed of.

[SHRIKANT D. KULKARNI, J.]

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