

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

974 CIVIL APPLICATION NO.9433 OF 2022 IN
FIRST APPEAL NO.694 OF 2022

SHRIMATI SUREKHA VISHWANATH CHAVAN AND OTHERS
VERSUS
BRANCH MANAGER, NATIONAL INSURANCE CO. LTD.,

...
Mr.K.B. Jadhav, advocate for the applicants.
Mr.A.S. Usmanpurkar, advocate for respondent no.1

...
CORAM : S.G. DIGE, J.
DATE : 29th JUNE, 2022

PER COURT :-

1. Heard the learned counsel for the applicants and the learned counsel for respondent no.1.

2. The learned counsel for the applicants submits that respondent no.1 has deposited the entire compensation amount before the trial Court. The applicants are in need of money for education and medical purposes, hence requested to allow the applicants to withdraw the deposited amount.

3. The learned counsel for respondent no.1 submits that respondent no.1 has filed appeal disputing some facts, which were not considered by the learned trial Court, hence requested to dismiss the application.

4. I have heard both the learned counsel.

The learned trial Court has passed the order against respondent no.1 to pay the compensation to the applicants of around Rs.19,14,000/-. The applicants are in dire need of amount for their livelihood as well as medical treatment and educational purposes. Hence I pass the following order :-

ORDER

- (i) The application is allowed.
- (ii) The applicants are permitted to withdraw 25% amount by giving usual undertaking before the learned Registrar (Judicial).
- (iii) The applicants are permitted to withdraw further 25% amount by giving solvent surety.
- (iv) The application is disposed of.

(S.G.DIGE, J.)