

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

943 CIVIL APPLICATION NO.11258 OF 2022
IN FA/101/2015

SAVITRA GANESH HIWALE AND OTHERS
VERSUS
SHRIRAM GENERAL INSURANCE CO. LTD. JAIPUR AND ORS

...
Advocate for Applicants : Mr. Swapnil Mule h/for
Mr. Gore Ravindra Vitthal
Advocate for Respondent No.1 : Mr. V. N. Upadhye
Advocate for Respondent No.4 : Mr. Rajesh Rothe

CORAM : SANDIPKUMAR C. MORE, J.
DATE : 21st SEPTEMBER, 2022

ORDER:

1. The learned counsel for the applicants submits that respondent Nos. 2 and 3 were the owner and driver of the offending vehicle and the appeal is already disposed of. The learned counsel for the applicants also submits that the appeal was disposed of in view of settlement between the original claimants and the insurance company. As such the respondent Nos. 2 and 3 are formal parties only. As such, at the risk of the applicants, the respondent Nos. 2 and 3 are deleted from the array of the respondents in the instant application. The deletion be carried out forthwith.

2. The respondent No.4 Gangabai Bhimrao Hiwale is also present before this Court and admits that she has received compensation amount falling to her share as per the order dated 23rd December 2014.

3. Heard learned counsel for the applicants. It appears that the application is only for withdrawing the amount by the present applicant No.2 Komal Ganesh Hiwale @ Komal w/o Amol Shinde who has now attained majority. As per the order dated 23rd December, 2014, the amount of compensation falling to her share was directed to be invested in FDR till she attains majority. As such, now on attaining majority, the amount of compensation falling to the share of applicant No.2 i.e. Rs. 1,14,167/- alongwith the accrued interest thereon till date can be paid to her. Accordingly, the aforesaid amount be paid to her separately.

4. The application is accordingly disposed of.

(SANDIPKUMAR C. MORE, J.)

JPChavan