

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 11262 OF 2022
IN FIRST APPEAL NO. 2411 OF 2020

PARWATIBAI PANDURANG KESHAMODE AND ANOTHER
VERSUS
M/S SHRIRAM GENERAL INSURANCE COMPANY LTD THR
DIVISIONAL OFFICE AURANGABAD AND OTHERS

...
Advocate for Applicants : Mr. H.I. Pathan
Advocate for Respondent No.1 : Mr. V.N. Upadhye
....

CORAM : S.G. DIGE, J.
DATE : 5th August, 2022

ORDER :

. Heard learned Counsel for applicants and learned Counsel for respondent No.1.

2. Learned Counsel for applicants submits that, respondent No.1 has challenged the judgment and award passed by Motor Accident Claims Tribunal, Nanded. The respondent No.1 has deposited 50% amount before this Court. The applicants are the parents of deceased who died in the accident. The applicants are in need of said amount for their day to day expenses. They are old aged

persons. They have no source of income hence, requested to allow the application.

3. Learned Counsel for respondent No.2 strongly objected to allow the application on the ground that, respondent No.1 has challenged the impugned order on various grounds. The Tribunal has not considered the evidence led by the respondent No.2 and without coming into merits, Tribunal has saddled compensation on respondent No.1 hence, requested to dismiss the application.

4. I have heard both the learned Counsel.

5. Son of applicants is died in the accident. Applicants have no source of income. They needs amount for their daily expenses. Hence, I pass the following order :-

ORDER

- (a) Application is allowed.
- (b) The applicants are permitted to withdraw 50% amount out of deposited amount by respondent

No.1 along-with accrued interest thereon on
furnishing solvent surety.

- (c) Remaining amount shall be deposited in Fix
Deposit in any Nationalized Bank.
- (d) The Civil Application is disposed of.

[S.G. DIGE, J.]