

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

928 CIVIL APPLICATION NO.12262 OF 2022

IN FIRST APPEAL NO. 37 OF 2021

**PANDHARINATH SURYABHAN AMBURE AND ANOTHER
VERSUS
THE ORIENTAL INSURANCE CO. THR ITS BRANCH MANAGER BEED
AND OTHERS**

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Advocate for Applicants : Mr. Choudhari Sushant B.
Advocate for Respondent No. 1 : Mr. R. F. Totala
Advocate for Respondent No. 2 : Mr. S. G. Chapalgaonkar
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CORAM : SANDIPKUMAR C. MORE, J.

DATE : 30.08.2022

PER COURT :

Heard rival submissions.

2. The applicants – original claimants are seeking withdrawal of entire amount of compensation coming to the share of one of the Insurance Companies i.e. the Oriental Insurance Company. The record shows that the Oriental Insurance Company has deposited amount around Rs. 31,00,000/- and the other Insurance Company i.e. New India Assurance Company Limited has deposited amount around Rs. 29,00,000/-. The applicants - claimants have already

withdrawn amount of Rs. 20,00,000/- from the amount deposited by New India Assurance Co. Ltd.

2. The total amount of compensation along with the interest till date appears to be of Rs. 60,00,000/- approximately. Therefore, keeping in mind the interest of Insurance Companies an additional amount of Rs. 10,00,000/- can be allowed to be withdrawn by the applicants from the amount deposited by the Oriental Insurance Co. Ltd.

3. In view of the above, the applicants are allowed to withdraw the amount of Rs. 5,00,000/- each from the entire amount of compensation which has been deposited by the Oriental Insurance Co. Ltd. The balance amount be kept in F.D.R. in any Nationalized Bank till final disposal of the appeal.

4. Accordingly the application is disposed of.

(SANDIPKUMAR C. MORE)
JUDGE

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shp/-