

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 13207 OF 2022
IN FIRST APPEAL NO. 779 OF 2022

VRUSHALI W/O BHASKAR KADAM AND OTHERS
VERSUS
NATIONAL INSURANCE COMPANY LTD THR ITS DIVISION
MANAGER (LEGAL HUB) AURANGABAD AND OTHERS

...
Advocate for Applicants : Mr. S.A. Deshpande
Advocate for Respondent No.1 : Mr. S.V. Kulkarni
....

CORAM : S.G. DIGE, J.
DATE : 19th September, 2022

ORDER :

. Heard learned Counsel for applicants and learned Counsel for respondent No.2.

2. Learned Counsel for applicants submits that, respondent No.1 has deposited entire award amount before this Court. The Karta of the family is died in the accident. Applicants have no source of income, they needed amount for their expenses. Hence, requested to allow the application.

3. Learned Counsel for respondent No.1 submits that, deceased hit the vehicle which was station on the road. In spite of that, the Tribunal has awarded compensation. This fact is disputed by the respondents by way of appeal. Hence, requested to dismiss the application.

4. I have heard both the learned Counsel. The deceased was the Karta of the family of applicants. Applicants have no source of income, they needed amount for their daily expenses and also for the education purpose of applicant Nos.2 and 3. Hence, I pass the following order :-

ORDER

- (a) Application is allowed.
- (b) Applicants are permitted to withdraw 50% amount along-with accrued interest thereon out of deposited amount on furnishing usual undertaking.
- (c) The Civil Application is disposed of.

[S.G. DIGE, J.]