

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

955 CIVIL APPLICATION NO.15013 OF 2022
IN FAST/25376/2016

MADHURI RANJIT KARANJE AND ORS
VERSUS
THE ORIENTAL INSURANCE CO. LTD., THR ITS DIVISIONAL
MANAGER, AURANGABAD AND ANOTHER

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Advocate for Applicants : Mr. R. R. Karpe
Advocate for Respondent No.1 : Mr. A. G. Kanade

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**CORAM : SANDIPKUMAR C. MORE, J.
DATED : 11/11/2022.**

P. C. :

1. Heard rival submissions.
2. The applicants, who are the original claimants, are seeking permission to withdraw the entire amount of compensation alongwith the accrued interest thereon, which has been deposited by respondent No.1 – insurance company.
3. On the contrary, the learned counsel for the respondent No.1 – insurance company, who in fact has filed this appeal, strongly opposed the application on the ground that the learned tribunal ignored the fact that claim petition is filed under Section 163-A of M. V. Act wherein the upper limit of compensation is of Rs.4 lacs and granted compensation of Rs.7,54,900/. In view of the same, I am of the opinion that the amount of Rs.4 lacs alongwith the proportionate interest thereon till date can be allowed to be withdrawn by the applicants- claimants at this juncture. Hence, following order is passed :

ORDER

- A) The applicants are permitted to withdraw the amount of Rs.4,00,000/- out of the total amount of compensation alongwith the proportionate interest accrued thereon till date in equal proportion and amount falling to the share of applicant No.4 be kept in any nationalized bank till she attains majority.
- B) Application is accordingly disposed of.

(SANDIPKUMAR C. MORE, J.)