

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

917 CIVIL APPLICATION NO.13338 OF 2021
IN FA/1589/2004

SUDHA UTTAMRAO BHAWRE AND ORS
VERSUS
M/S NEW INDIA ASSURANCE CO LTD, BR OFFICE ADILABAD(AP)
AND ORS

...
Advocate for Applicants : Mr. Ansari Asfia Nuzhat
Advocate for respondent No.1 and 2 : Mr. V. N. Upadhye
...

CORAM : S. G. DIGE, J.
DATE : 03.08.2022

PER COURT :-

Heard learned counsel for the applicant and learned counsel for respondent Nos.1 and 2.

2. Learned counsel for the applicants submits that appeal was preferred against the Judgment and award passed by M.A.C.T, Nanded by respondent Nos.1 and 2. The said appeal is dismissed by this Court. Respondent Nos.1 and 2 have deposited the entire award amount before the tribunal at Nanded. After disposal of the appeal, respondent Nos.3 and 4 (original claimant Nos. 5 and 6) died. The present applicants are the legal heirs and representatives of deceased respondent Nos.3 and 4. Hence, they may be permitted to withdraw the amount which comes in the share of respondent Nos.3 and 4

(original claimant No.5 and 6).

3. I have heard both the learned counsel. Perused death certificates produced on record of Gopalrao Fakirrao Bhawre and Radhabai Gopalrao Bhaware.

4. It is contention of the learned counsel for the applicants that applicants are the only legal heirs and legal representatives of the deceased. Hence, I pass the following order

ORDER

- (i) Application is allowed in terms of prayer clause 'B'.
- (ii) Leave to correct.

**(S.G. DIGE,)
JUDGE**

ysk