

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

**909 CIVIL APPLICATION NO.16305 OF 2022
IN FA/1822/2014**

**JAGRUTI MILIND NAIK AND ANOTHER
VERSUS
NATIONAL INSURANCE CO. LTD., THR BRANCHMANAGER,
JALGAON AND OTHERS**

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Advocate for Applicants : Mr. V. Y. Bhide
Advocate for Respondent : Mr. A. B. Kadethankar

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**CORAM : SANDIPKUMAR C. MORE, J.
DATED : 07/12/2022.**

P. C. :

1. Heard rival submissions.
2. It is pointed out by the learned counsel for the applicants / original claimants that the applicants as well as insurance company had filed appeals against the judgment and award of learned Tribunal. Both the appeals were allowed by this court but still the ultimate compensation amount is lesser than the amount of compensation awarded by the learned Tribunal. The insurance company has already deposited the entire amount of compensation granted by the learned Tribunal in this court.
3. Further the record shows that certain withdrawal was also permitted by this court to the claimants from the said amount. Therefore, on the disposal of the appeals filed by either of the parties the amount of compensation awarded by this court to the claimants be allowed to be withdrawn by the applicants as per modified award alongwith the interest accrued thereon till date by

considering the earlier withdrawal by them. Such amount be distributed between the present applicants in equal proportion. The balance amount of the compensation be refunded to the insurance company alongwith the interest accrued thereon till date. Accordingly application is disposed of.

(SANDIPKUMAR C. MORE, J.)