

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**INTERIM APPLICATION NO.19191 OF 2022
IN
FIRST APPEAL NO.179 OF 2015**

Smt. Anjali Anand Kulkarni and Ors. ...Applicants

The Oriental Insurance Company Limited ...Appellant

Versus

Smt. Anjali Anand Kulkarni and Ors. ...Respondents

...

Ms Shalini Shankar for the Appellants.

Mr. Sudhakar G. Thorat for Respondent Nos.1 to 5.

Mr. Vivek Rane i/b. Mr. Vinod Jadhav for Respondent No.6.

CORAM: SMT. ANUJA PRABHUDESSAI, J.

DATED : 20th OCTOBER, 2022.

P. C. :-

1. The Applicants, who are the original Claimant Nos.1 to 5 have filed this application for withdrawal of the compensation deposited by the Appellant-Insurance Company. By the impugned Judgment dated 22/03/2013 in M.A.CP. No.40 of 2011, the M.A.C.T, Gadhinglaj awarded compensation of Rs. 33,19,816/- with interest @ 8% p.a. from the date of the petition till final realization.

2. By order dated 29/04/2014 this Court had allowed the Applicant No.1-widow and Applicant Nos.4 and 5, parents of the

deceased to withdraw total compensation of Rs.10,00,000/-. No withdrawal was allowed on behalf of the Applicant Nos.2 and 3 since they were minors at the relevant time.

3. Learned counsel for the Applicants states that the Applicant Nos.2 and 3 have now attained majority and that they are in need of money to pursue their education.

4. Considering the reasons stated in the application and the grounds raised in the appeal memo, Applicant Nos.2 and 3 are permitted to withdraw compensation of Rs.3,00,000/- each by furnishing personal bonds to the satisfaction of the Trial Court. Suffice it to say that the withdrawal is subject to final outcome of the appeal.

5. Application stands disposed of.

(SMT. ANUJA PRABHUDESSAI, J.)