

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

**956 CIVIL APPLICATION NO.12640 OF 2023
IN
FA/146/2023 WITH CA/583/2023 IN FA/146/2023**

**SMT. PRATIBHA S/O PARASRAM TAKE AND ORS
VERSUS
THE BRANCH MANAGER NATIONAL INSURNACE CO LTD AND
ANR**

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Advocate for Applicants: Mr. Shaikh Ashraf Patel
Advocate for Respondent No.1: Mr. V. N. Upadhye

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CORAM : ARUN R. PEDNEKER, J.

DATE : 18th OCTOBER, 2023

PER COURT:

1. Heard.

2. The civil application for withdrawal of amount is filed by the wife, children and mother of the deceased. Although, the applicant no.3 was a minor at the relevant time today the learned counsel submits that, applicant no.3 is also major.

3. Having heard the learned counsel for the parties and without going into the merits of the matter, the applicants are permitted to

withdraw 50% of the amount deposited in this court along with accrued interest. The applicants are permitted to withdraw in the proportion given by the tribunal. Undertakings to be filed by all the applicants to the extent of the amount withdrawn by them. The civil application for withdrawal of amount stands disposed of.

4. The interim stay granted by this court stands confirmed. The civil application for stay stands disposed of.

5. The first appeal is **admitted**. On admission, Mr. Shaikh Ashraf Patel, learned counsel waives notice for respondents no.1 to 5. Call R & P. Office objections, if any, to be removed within four (04) weeks.

[ARUN R. PEDNEKER, J.]

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