

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

**931 CIVIL APPLICATION NO.746 OF 2023
IN FAST/28109/2022**

**SUSHMA SUNIL SALBLE
VERSUS
THE ORIENTAL INSURANCE CO.LTD**

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Mr. Majit Shaikh, Advocate for the applicant.
Mr. Uday S. Malte, Advocate for respondent No.1.

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CORAM : SANDIPKUMAR C. MORE, J.

DATED : 20th January 2023.

ORDER:-

1. Heard rival submissions. The applicant is seeking permission to withdraw the entire amount of compensation deposited by the respondent Insurance Company. The learned Counsel for the Insurance Company strongly opposed the application on the ground that the learned Tribunal has granted exorbitant compensation by considering the notional income of deceased to the extent of Rs. 12,000/- per month. Moreover, the deduction is also shown as one-third instead of one-half since the deceased was bachelor.

2. Under such circumstances, the applicant Nos.1 and 2, who are the parents of deceased, are permitted to withdraw 50% of the deposited amount alongwith the proportionate

interest accrued thereon, on furnishing usual undertaking to the satisfaction of Registrar (Judicial) of this Court. The remaining amount be invested in F.D.R. in any Nationalized Bank on yearly renewal basis, till final disposal of the appeal.

3. The application is accordingly disposed.

(SANDIPKUMAR C. MORE, J.)