

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

927 CIVIL APPLICATION NO.8272 OF 2023 IN FAST/22141/2022

BHARTIBAI RAMRAO HONMANE @OTHERS
VERSUS
THE ORIENTAL INSURANCE CO.LTD

...
Advocate for Applicant : Mr. H. B. Nandagavale
Advocate for Respondents : Mr. M.K. Goyanka

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CORAM : S. G. CHAPALGAONKAR, J.
Dated: July 07, 2023

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PER COURT :-

1. By this application, the applicants/original claimants are seeking permission to withdraw the amount deposited by the appellant/insurance company.
2. The contention of the appellant is that, the learned Tribunal has wrongly decided the issue of negligence, the multiplier is excessively applied. Even, the dependency aspect is ignored.
3. Learned advocate appearing for the applicants/original claimants submits that interse liability amongst respondents can be determined at the stage of final hearing, however, compensation as awarded by the Tribunal shall be released in favour of the applicants.
4. Having considered the submissions advanced and on perusal of the findings recorded by the Tribunal, it would be appropriate to permit the applicants to withdraw 50% of the amount deposited in this Court alongwith accrued interest thereon subject to furnishing of usual undertaking to be furnished before the Registrar (Judicial) of this Court. Civil application is disposed off.

(S. G. CHAPALGAONKAR, J.)

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