

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

**CIVIL APPLICATION NO.5196 OF 2023 IN
FIRST APPEAL NO. 47 OF 2017**

Rekha w/o Suresh Dudhe (deceased)
through L. Rs.

Applicants

Versus

National Insurance Co. Nanded
and another

Respondents

Mr. Ashutosh S. Kulkarni, advocate for the Applicants
Mr. P. C. Mayure, advocate for Respondent No.1

CORAM : SANDIPKUMAR C. MORE, J.

DATE : 19th April, 2023.

PC :

Heard rival submissions.

The applicant no.2 is seeking withdrawal of amount of compensation falling to his share, as determined by the learned Tribunal.

Under order dated 28.11.2018, this Court has already allowed the applicants to withdraw the compensation amount in view of the no objection on behalf of the Insurance Company. However, applicant no.1 Rekha was no more and, therefore, her share was allowed to be invested in FDR till

final disposal of the appeal. Moreover, the shares of applicants no.2, 3 and 4 were also directed to be invested in FDR till they attain majority.

Now, only applicant no.2 has attained majority and, therefore, the amount falling to his share i.e. 1/6th of the total compensation is allowed to be withdrawn by him along with the interest accrued thereon till date on furnishing usual undertaking to the satisfaction of Registrar (J) of this Court. The remaining amounts shall be continued to be invested, as per earlier order.

Civil Application is disposed of.

(SANDIPKUMAR C. MORE)
JUDGE

adb