

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

CIVIL APPLICATION NO.5529 OF 2023
IN FA/2485/2022

DEEPALI RAJU MOHITE AND OTHERS.
VERSUS
NATIONAL INSURANCE COMPANY LTD THROUGH ITS
DIVISIONALMANAGER

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Advocate for Applicant : Mr. Dnyaneshwar T Kamble
Adv.for Respondent No.1: Mr. V.R. Mundada
Adv. For respondent Nos. 2 and 3 : Mr. V.P. Narwade.

CORAM : S.G. CHAPALGAONKAR, J.

DATE : 20TH JUNE, 2023

ORDER :-

Heard learned advocates appearing for the respective parties.

2. This is an application seeking withdrawal of the amount deposited by the appellant insurance company in terms of the award passed by the Tribunal.

3. Having considering the findings recorded by the Tribunal and the submissions advanced by the parties, the applicant No.1 is permitted to withdraw an amount of Rs. 15 Lakhs out of the amount deposited by the Insurance Company in this Court. The applicant Nos. 3 and 4 are permitted to withdraw total amount of Rs. 10 Lakhs in equal proportion (i.e. rupees five lakhs each). This withdrawal of amount shall be subject to usual undertaking to be given by the applicant Nos. 1,

3 and 4 to the satisfaction of the Registrar (Judicial) of this Court for re-deposit of amount if so directed at the time of final disposal of appeal. Rest of the amount be invested in Fixed Deposit initially for a period of two years with renewal clause.

4. Civil application is disposed of accordingly.

[S.G. CHAPALGAONKAR]
JUDGE

grt/-