

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

946 CIVIL APPLICATION NO.11776 OF 2023
IN FA/1134/2023
WITH CA/3574/2023 IN FA/1134/2023

SUFIYA ANIS KHAN & OTHERS
VERSUS
LEGAL MANAGER ROYAL SUNDARAM GENERAL
INSURANCE COMPANY LTD & OTHERS

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Advocate for Applicants : Mr.M.S.Kulkarni
Advocate for Respondent no.1 : Mr.M.R.Deshmukh

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CORAM : ARUN R. PEDNEKER, J.

DATE : 07.11.2023

P.C. :

A] ORDER IN CIVIL APPLICATION FOR
WITHDRAWAL

1] Appeal is filed on the ground of contributory negligence and quantum of compensation. The present Civil Application is filed by the widow, parents and four minor children.

2] Having heard the learned counsel for the parties, I deem it appropriate to permit the applicants, widow and parents of the deceased, to withdraw 75% of the amount as directed by the Tribunal along with accrued interest accrued thereon till date, subject to furnishing

undertaking to the satisfaction of the Presiding Officer of the Tribunal. As regards the share of the minor is concerned, the same be kept in fixed deposit as directed by the Tribunal. Any further direction by the Tribunal to pay quarterly interest to the applicant no.1 would continue. Civil Application is disposed of accordingly.

B] ORDER IN CIVIL APPLICATION FOR STAY

Since the appellant – insurance company has deposited the amount as directed by this Court, the interim stay granted by this Court stands confirmed. Civil Application is disposed of accordingly.

C] ORDER IN FIRST APPEAL

1] Appeal is admitted. On admission, Mr.M.S.Kulkarni, learned counsel waives notice for respondent nos.1, 6 and 7. The appellant to serve respondent nos.8 and 9.

2] As and when service is complete, liberty to mention the First Appeal.

**[ARUN R. PEDNEKER]
JUDGE**