

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 5703 OF 2023
IN FIRST APPEAL NO. 2070 OF 2020

RANJANA SANJAY JADHAV AND OTHERS
VERSUS
THE ORIENTAL INSURANCE COMPANY LTD DIVISIONAL
OFFICE DHULE AND OTHERS

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Mr. M.S. Shah – Advocate for Applicants
Mr. M.K. Goyanka – Advocate for Respondent No.1
Mr. M.G. Kochar – Advocate for Respondent Nos.2 and 3

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CORAM : SANDIPKUMAR C. MORE, J.

DATE : 27th April, 2023

PER COURT :

1. Heard rival submissions.

2. The applicants are claiming modification of order dated 19th April, 2022 only to the extent of share of present applicant No.5. Vide order dated 19th April, 2022 this Court has already allowed the applicants to withdraw 50% of the deposited amount of compensation alongwith the interest accrued thereon on furnishing usual undertaking before the Registrar (Judicial) of this Court. However, applicant No.5 due to her extreme old age is unable to come Aurangabad from her

native village Deobhane, Tq. and Dist. Dhule.

3. The applicants have also prayed for transfer of amount falling to the share of applicant No.5 vide order dated 19th April, 2022 to the concerned Motor Accident Claims Tribunal, Dhule.

4. The learned Counsel for the respondent – Insurance Company is not having any objection for such transfer.

5. As such, the application stands allowed only in terms of prayer clause 'C'. After such transfer the applicant No.5 is permitted to withdraw her share by furnishing usual undertaking to the satisfaction of concerned Motor Accident Claims Tribunal, Dhule.

[SANDIPKUMAR C. MORE]
JUDGE