

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 7170 OF 2022
IN FIRST APPEAL NO. 1253 OF 2023
WITH FIRST APPEAL NO. 1253 OF 2023

SWATI PARMESHWAR KAMBLE AND OTHERS
VERSUS
ANGAD VITHALRAO VALAMPALLE AND OTHERS

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Mr. R.P. Adgaonkar – Advocate for Applicants
Mr. H.B. Nandgavale – Advocate for Respondent Nos.1 and 2
Mr. V.N. Upadhye – Advocate for Respondent No.3

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CORAM : SANDIPKUMAR C. MORE, J.
DATE : 31st March, 2023

PER COURT :

1. Heard.
2. The applicants are seeking withdrawal of the entire amount of compensation, which has been deposited by the Insurance Company alongwith the interest accrued thereon.
3. The learned counsel for the Insurance Company opposed the application on the ground that, the learned Tribunal has granted exorbitant amount of compensation without there being any satisfactory evidence.

4. However, it appears that applicant nos. 2 and 3 are minors and therefore, only applicant nos. 1, 4 and 5 can claim withdrawal of amount at this juncture.

5. In view of the same and considering the compensation granted by the learned Tribunal, the applicant no. 1 is permitted to withdraw amount of Rs.12,00,000/- from the amount falling to her share as apportioned by the learned Tribunal alongwith the proportionate interest accrued thereon till date on usual undertaking to the satisfaction of the Registrar (Judicial) of this court.

6. Further, the applicant nos. 4 and 5 are also permitted to withdraw their compensation amount of Rs.3,44,300/- each alongwith the proportionate interest accrued thereon till date on usual undertaking to the satisfaction of the Registrar (Judicial) of this court.

7. The remaining amount be kept in F.D.R. in any nationalized Bank on yearly renewal basis till final disposal of this appeal.

8. The Civil Application is accordingly disposed of.

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9. Call for record and proceedings.

**[SANDIPKUMAR C. MORE]
JUDGE**

Pooja Kale