

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

CIVIL APPLICATION NO.5528 OF 2023
IN FAST/34933/2022 WITH CA/1225/2023 IN FAST/34933/2022 WITH
CA/1226/2023 IN FAST/34933/2022

NAHIBADEBAM SHARIFKHAN PATHAN AND ANOTEHR
VERSUS
RELIANCE GENERAL INSURANCE CO LTD THROUGH SIGNATORY AND
ANR

...

Advocate for Applicants : Mr. Swapnil Sunilkumar Dargad
Adv. for Respondent No.1.: Mr. R.H. Dahat

CORAM : S.G. CHAPALGAONKAR, J.

DATE : 20TH JUNE, 2023

ORDER :-

Heard learned advocate for the parties.

2. By way of this application, the applicants are seeking withdrawal of the amount deposited by the appellant insurance company. It appears that the Tribunal, on the basis of the evidence advanced, has recorded a categorical finding that there is a causal connection between the accident and death of the deceased.

3. In that view of the matter, it would be appropriate to permit the applicants to withdraw 50% of the amount deposited, subject to furnishing an undertaking that in case of any adverse orders in appeal, they shall refund the amount alongwith interest accrued as stipulated in the final order.. Civil application stands disposed of.

**[S.G. CHAPALGAONKAR]
JUDGE**

grt/-