



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

949 CIVIL APPLICATION NO.14607 OF 2023
IN FAST/16134/2023 WITH CA/7299/2023 IN FAST/16134/2023 WITH
CA/7301/2023 IN FAST/16134/2023

LATABAI BABASAHEB KHAND AND ORS
VERSUS
UNITED INDIA INSURANCE CO LTD AND ANR

...
Advocate for Applicants : Mr. P.P.Patni h/f Mr. P.F.Patni
Advocate for Respondent No.1 : Mr. A.D.Dale h/f Mr. S. S. Rath
...

CORAM : ARUN R. PEDNEKER, J.
DATE : 08/12/2023

PER COURT :

1. Heard the learned Advocate appearing on behalf of the respective parties.
2. The present appeal is filed by the Insurance Company against the order of the Tribunal on the ground of quantum of compensation granted by the Tribunal.
3. Civil Application No.7299 of 2023 is filed for condonation of delay of 115 days. For the reasons stated in the application, the application for delay condonation is allowed and disposed of accordingly.
4. Civil Application No.14607 of 2023 is filed for withdrawal of amount. Without going into the merits of the matter, I deem it appropriate to allow the major applicants to withdraw 60% of the

compensation amount along with accrued interest thereon till date to the extent of their shares as directed by the Tribunal, subject to filing of undertaking to the satisfaction of the Registrar Judicial of this Court. Minor applicants share be kept in fixed deposit in any nationalized bank. Application for withdrawal of amount stands disposed of. Applicants are permitted to move an application for withdrawal of amount kept in fixed deposit as and when exigency arises.

5. Civil Application No.7301 of 2023 is filed for Stay. The learned Advocate for the applicant submits that the amount has been deposited in this Court as per the directions of this Court. In view of the same, the Stay order passed by this Court dated 27/06/2023, in the application for stay, is confirmed. The application filed for Stay stands disposed of.

6. The appeal is **admitted**.

7. After admission of the appeal, the learned Advocate Mr. P. F. Patni waives service of notice on behalf of respondents No.1 to 6.

(ARUN R. PEDNEKER, J.)

vj gawade/-.