

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

907 CIVIL APPLICATION NO.14691 OF 2022
IN FA/949/2022

ASMITA ARVIND KHANDARE AND OTHERS
VERSUS
NATIONAL INSURANCE CO. LTD. THR ITS BRANCH MANAGER,
NANDED AND OTHERS

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Advocate for Applicants : Mr. Muneshwar G K

Advocate for Respondent No.1 : Mr. V. R. Mundada

Advocate for Respondent No.5 : Mr. Jeevan R. Patil h/f A. G. Kandde

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CORAM : ARUN R. PEDNEKER, J.
DATE : 03/11/2023

PER COURT :

1. The present appeal is filed on the ground of quantum granted by the Tribunal since there is no evidence produced and also on the ground of contributory negligence by both the vehicles and one of the vehicle is added as party
2. Heard the learned Advocate for the respective parties as regards contributory negligence and on the ground of quantum.
3. Civil Application No.14691 of 2022 is filed for withdrawal of amount of compensation deposited in this Court. I deem it appropriate to permit the applicants to withdraw 50% of amount of compensation deposited in this Court as the involvement of vehicle in the accident is duly proved by them. The deceased was the sole bread earner in their

family the applicants have no source of income and for the purpose of education of the minor sons, they pray for permission to withdraw the amount.

4. I deem it appropriate to permit all major applicants to withdraw 50% of the amount of compensation deposited in this Court as per their entitlement in terms of their apportionment as directed by the Tribunal along with interest thereon till date. The share of minor applicants be fixed in deposit in any nationalize bank. The application for withdrawal of amount stands disposed of.

5. The appeal is **Admitted.**

(ARUN R. PEDNEKER, J.)

vj gawade/-.