

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

940 CIVIL APPLICATION NO.12225 OF 2023  
IN FA/2197/2020 WITH CA/7328/2020 IN FA/2197/2020

RATNABAI BHAGWAT PATIL  
VERSUS  
NATIONAL INSURANCE CO. LTD., BRANCH AT DHULE AND ORS

...  
Advocate for Applicant : Mr. V.B. Patil  
Advocate for Respondent 1 : Mr. S.A. Bolade

...  
**CORAM : ARUN R. PEDNEKER, J.**  
**DATED : 01/12/2023**

**PER COURT :**

1. Heard the learned counsel for the parties.
2. Present appeal is filed by the Insurance Company on the ground of non involvement of the insured vehicle. However, at para 16 of the impugned judgment, the Tribunal has taken into consideration the seizure panchanama, accident report form and chargesheet filed in the matter and has held that insured vehicle is involved in the accident.
3. Civil Application No. 12225/2023 is filed by the original claimant i.e. the mother of the deceased for withdrawal of amount. Without going into the merits of the matter, I deem it appropriate to permit the applicant to withdraw 60% of the compensation amount apportioned to her share along with the proportionate interest accrued thereon till date on furnishing usual undertaking to the satisfaction of the Registrar Judicial of this Court. The remaining amount be invested in F.D.R. in any nationalized bank on yearly renewal basis till final disposal of the appeal. Civil Application for withdrawal of amount is disposed of accordingly.

**[ARUN R. PEDNEKER J.]**

ssc/