

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

CIVIL APPLICATION NO.4356 OF 2023
IN FA/3129/2022 WITH CA/14745/2022 IN FA/3129/2022

MANISHA MANOJ PASARE
VERSUS
CHOLAMANDALAM MS GENERAL INSURANCE COMPANY LIMITED

...

Advocate for Applicant : Mr. Anil P. Basarkar
Adv. for Respondents: Mr. A.G. Chaudhari.

CORAM : S.G. CHAPALGAONKAR, J.

DATE : 23rd JUNE, 2023

ORDER :-

IN CIVIL APPLICATION FOR WITHDRAWAL :

Heard learned advocates appearing for the respective parties.

Mr. Chaudhari, learned advocate for the Insurance Company submits that the Tribunal while passing the award, considered excessive income of the deceased and also granted excessive compensation towards non-pecuniary heads. He would further point out that the applicant Nos. 2 and 3 are minors and the amount falling to their share has been directed to be kept in fixed deposit.

Considering the submissions advanced by the respective parties, it would be appropriate to permit the applicants to withdraw

40% of the compensation amount deposited in this court subject to usual undertaking to the satisfaction of the Registrar (Judicial) of this Court.

Civil application is disposed of.

IN FIRST APPEAL

Call for R. & P.

Post the appeal for admission on 27th July, 2023.

IN CIVIL APPLICATION FOR STAY :-

Mr. Chaudhari, learned advocate for the appellant submits that the entire amount as per the award passed by the Tribunal has been deposited with the Registry of this Court. In that view of the matter, civil application is allowed in terms of prayer clause (B) and stand disposed of.

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

grt/-