

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

**CIVIL APPLICATION NO. 15558 OF 2022 IN
CROSS OBJECTION NO. 01 OF 2019 IN
FIRST APPEAL NO. 2911 OF 2016**

Tulsabai w/o Yashwant Wable
and others

Applicants

Versus

HDFC ERGO General Insurance
Co. Ltd. & another

Respondents

Mr. H. U. Dhage, advocate for the Applicants
Mr. Swapnil Dargad, advocate for Respondent No.1.
Mr. R. A. Tambe, advocate for Respondent No.2.

CORAM : SANDIPKUMAR C. MORE, J.

DATE : 09th January, 2023.

PC :

Heard rival submissions.

The applicants are claiming deletion of name of Tulsabai w/o Yashwant Wable, who was mother of deceased Tukaram. Admittedly, the appeal has been disposed of and there cannot be any deletion after disposal of appeal, as sought by the applicants for want of any legal provision. However, it appears that all the legal heirs of deceased Tulsabai are already on record and, therefore, permission to

withdraw the amount falling to the share of Tulsabai, in equal proportion, by her legal heirs can be withdrawn.

As such, the application is partly allowed in terms of prayer clause “B-1” only. Applicants No.2 to 6 are permitted to withdraw the amount falling to the share of Tulsabai in equal proportion.

Civil Application stands disposed of.

(SANDIPKUMAR C. MORE)
JUDGE

adb