

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

**911 CIVIL APPLICATION NO.13056 OF 2023
IN FA/788/2019**

**SUDAMATI ANNA BHISE AND ORS
VERSUS
NEW INDIA INSURANCE CO. LTD., THR ITS DIV. MANAGER, AURANGABAD
AND ORS**

Mr.C.K. Shinde h/f. Ms. G.R. Jagtap, Advocate for the applicants.
Mr.M.M. Ambhore, Advocate for respondent No.1.

**CORAM : KISHORE C. SANT, J.
DATED : 04.11.2023**

PC :-

01. This application is filed by the original claimants/respondents in the appeal for withdrawal of the amount of compensation towards 'No Fault Liability' deposited by the respondent-insurance company in this Court. It is submitted that now even the final award is also passed and another appeal is preferred by the insurance company against the final award. In the present first appeal, as per the directions, 50% amount towards NFL is deposited along with interest. Considering the fact that even final award is passed and appeal is also preferred, which is pending before other Court, it would be desirable to allow the application.

02. The application is, therefore, allowed. The applicants shall be entitled to withdraw Rs.26,288/- along with interest accrued, if any, on an undertaking that if the applicant does not succeed in the appeal, he will re-deposit the amount within six weeks from the date of such order.

03. The Civil Application stands disposed off.

[KISHORE C. SANT, J.]