

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

**CIVIL APPLICATION NO.12968 OF 2023
IN FA/3845/2019**

**VARAD RAJKUMAR PENDKAR
VERSUS
THE ORIENTAL INSURANCE CO. LTD. AND ANOTHER**

...
Advocate for Applicant : Mr. Hamzakhani I. Pathan
Advocate for Respondent No.1 : Mr. D.P. Deshpande
...

CORAM : KISHORE. C. SANT, J.

DATE : 02nd NOVEMBER, 2023

PER COURT :

1. Heard learned advocates for the respective parties.
2. This application is filed by claimant No.4 for withdrawal of 75% amount of his share, deposited by respondent No.1 Insurance Company in this Court.
3. This Court, by earlier order dated 06/12/2019, in Civil Application No.13162/2019, had permitted claimant Nos.1 to 3 to withdraw the amount to the extent of 75% of their entitlement. Since present applicant was minor at that time, the application to his extent was not allowed. Now, the applicant has attained age of majority and has, therefore, filed present application.
4. Considering the fact that this Court has already

permitted other claimants to withdraw 75% amount of their share, it would be in the interest of justice to allow this application in the same terms.

5. Hence, the application is allowed. Applicant is permitted to withdraw 75% amount of his share in the proportion laid down by the Tribunal in the impugned award alongwith accrued interest, if any, by furnishing undertaking in usual terms. Application stands disposed off.

(KISHORE. C. SANT, J.)