

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

**913 CIVIL APPLICATION NO.13512 OF 2023
IN FA/1059/2018**

**NANDA ASHOK KULKARNI AND ANR
VERSUS
FAYAZ MAZEED SHAIKH AND ORS**

Mr.C.V. Bodkhe h/f. Mr. R.V. Gore, Advocate for the applicants.
Mr.S.V. Kulkarni, Advocate for respondent No.3.

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

PC :-

01. Heard learned Advocates for the parties. The main appeal was settled in the Lok-Adalat in terms of compromise. The terms of compromise are also recorded. Copy of the terms of the compromise is annexed to the application. As per the settlement respondent No.3 accepted to pay Rs.56,46,927/-. An amount of Rs.3,37,322/- was to be transferred to the insurance company. He submits that some part of the amount is already withdrawn by the applicants. Now amount of Rs.16,00,126/- is still lying with the office of this Court. The application is, therefore, preferred seeking permission to withdraw the amount of Rs.1,00,126/-.

02. The learned Advocate for the insurance company accepts said position.

03. In view of above, the application is allowed. The applicants are entitled to receive Rs.16,00,126/- i.e. balance amount still remaining in this Court along with interest, if any, accrued thereon. Needless to say that, if the insurance company has not withdrawn the amount of Rs.3,37,322/-, same shall be transferred to the insurance company.

04. With the above directions, the civil application stands disposed off.

[KISHORE C. SANT, J.]