

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CIVIL APPLICATION (CAF) NO.1190 OF 2023
IN
FIRST APPEAL STAMP NO.24465 OF 2019

Shriram General Insurance Co. Ltd, Through its Branch Manager, Nagpur
Vs.

Sitadevi wd/o Jitaram @ Jitendra Panchariya and others

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. Sudhir Pandey, Advocate h/f Mr. G. I. Dipwani, Advocate for appellant.
Mr. P. R. Agrawal, Advocate for respondent Nos.1 to 5.

CORAM : URMILA JOSHI-PHALKE, J.
DATED : 27/04/2023

1. This application is for seeking permission for withdrawal of the amount.
2. The present application is filed by the respondent Nos.1 to 5 on the ground that they have lost their bread earner and now they have no source of income. Though award is passed in their favour, they have not received the compensation amount. They are in dire need of compensation amount.
3. The said application is strongly opposed by the learned Advocate for the appellant on the ground that the compensation amount awarded is excessive and exorbitant one. Moreover, insurance company has raised some statutory defences.
4. Heard both the sides. Perused the application.

5. Considering the grounds mentioned in the application and the objection raised, at this stage, it will be appropriate to permit the respondent Nos.1 to 5 to withdraw 75% of the amount along with accrued interest on usual undertaking, on due identification and verification.

6. Out of 75% of the amount, the amount of Rs.2,00,000/- each be fixed in any Nationalized Bank in the names of respondent Nos.4 and 5, till they attain the age of majority. The balance amount be disbursed to the respondent Nos.1 to 3.

7. Civil application is disposed of.

(URMILA JOSHI-PHALKE, J.)

Sarkate