

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, NAGPUR.**

**CIVIL APPLICATION NO.2692 OF 2022 IN
FIRST APPEAL NO.341 OF 2021**

(Reliance General Insurance Co. Ltd. Vs. Jotsana wd/o Ghanshyam Misar and ors.)

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Shri D.N. Kukday, Advocate for the appellant.
Ms D.V. Sapkal, Advocate for respondent Nos.3 and 4.

CORAM:- URMILA JOSHI-PHALKE, J.

DATED :- MARCH 01, 2023.

Heard.

2. As per the contention of the appellant, she has lost her husband in the said accident. There is no earning member in the family. Though award is passed in her favour she could not get the compensation amount. She has to incur the expenses towards the education of her children and hence she be permitted to withdraw the amount.

3. As per the award of the trial Court 40% of the total amount is directed to be given to respondent No.1. In view of that apportionment, respondent No.1 is entitled to withdraw 40% of the amount out of total compensation amount.

4. In view of that 40% of the compensation amount along with accrued interest be disbursed to respondent No.1 on due identification and verification.

5. Civil application is disposed of.