



IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

8 CIVIL APPLICATION NO. 4499 OF 2024
IN FA/3928/2023

SAKHARAM DAJIBHAU PATIL HALORE AND ORS
VERSUS
CHOLAMANDALAM MS GENERAL INSURNACE COMPANY
LIMITED AND ORS

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Advocate for Applicant : Mr. Mayure Pramod C.
Advocate for the Respondents : Mr. A.S. Usmanpurkar

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CORAM : KISHORE C. SANT, J.
DATE : 18th JUNE, 2024.

PER COURT :

1. Heard for some time.
2. This application is by the Original Applicant No. 2, who happens to be the mother of the deceased Yogesh Patil for withdrawal of amount of compensation to the extent of her share of 75%. It is the case that the learned MACT while awarding compensation has awarded compensation only to the mother and widow of the deceased and refused to grant the compensation to the father and the sister.
3. Now the Insurance Company has filed appeal in this

Court on various grounds, which is admitted by a separate order. The appellant has deposited the entire amount of compensation as directed by the learned MACT and the amount is lying in this Court.

4. Considering this position, this Court, in the interest of justice allowing the, **applicant No. 2 to withdraw 75% of the amount of her share**. Hence the following order :

ORDER

- a) The application is allowed and disposed off.
- b) **Applicant No. 2 is allowed to withdraw 75% of her share** of the amount on giving usual undertaking that in case the appeal is decided in favour of the Insurance Company, they shall re-deposit the amount with interest within 12 weeks thereafter.

(KISHORE C. SANT)
JUDGE

mahajansb/