



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

102 CIVIL APPLICATION NO. 4060 OF 2024

IN FA/2270/2023

WITH CIVIL APPLICATION NO. 6916 OF 2023 IN
FA/2270/2023

KALYAN SO KISAN DOKE DIED THRO RENUKA KALYAN DOKE
AND ANR

VERSUS

THE NEW INDIA INSURANCE CORRECTED ASSURANCE CO
LTD AND ORS

...

Advocate for Applicants : Mr. Wagh Umakant U.

...

CORAM : S. G. MEHARE, J.

DATE : 22.04.2024

PER COURT :-

1. Heard the learned counsel for the applicants.
2. Earlier an application for withdrawal of the amount was heard and decided by order dated 08.03.2024. At that time, the learned counsel for the applicants had no instructions that one of the applicant namely Kalyan was no more. Now, he has been informed. The legal heirs of deceased Kalyan were already on record. Hence, the order may be modified directing to release the amount to the present applicants.
3. Considering the pleadings and submissions, the following order is passed :

ORDER

- (i) Civil Application No.4060 of 2024 is allowed.
- (ii) The order dated 08.03.2024 is modified as follows:

The name of applicant Kalyan be deleted from that application. The appellants be allowed to withdraw the amount on undertaking to deposit the amount if impugned judgment and award is reversed. The amount be apportioned equally.

(S. G. MEHARE, J.)

...

vmk/-