



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

CIVIL APPLICATION NO. 8683 OF 2023 IN FA/3651/2022

SAWITRABAI W/O. SUBHASH KHONDE AND OTHERS
VERSUS
THE ORIENTAL INSURANCE CO.LTD AND ANOTHER

...
Advocate for Applicants : Mr. Surendra V. Suryawanshi
Advocate for Respondent No.1 : Mr. Dhananjay P. Deshpande
...

CORAM : S. G. MEHARE, J.

DATE : 19-01-2024

PER COURT :-

1. Heard the learned counsel for the applicants.
2. None present for respondent No.1 / insurance company.
3. Learned counsel for the applicants submits that appellant/insurance company has preferred an appeal mainly on the ground that the income of the deceased was held only Rs.6,000/- per month. The amount of Rs.12,50,000/- with interest has been deposited. The applicants are the legal heirs, depending on the income of deceased Subhash.
4. Considering the facts and circumstances of the case and the grounds in appeal, the following order is passed;
 - i) The application is partly allowed.
 - ii) The applicants are permitted to withdraw 75% of the amount deposited with interest accrued thereon, on furnishing an undertaking that they will re-deposit the amount, if the judgment and order is reversed.

(S. G. MEHARE, J.)