



IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

29 CIVIL APPLICATION NO. 5468 OF 2024
IN FA/10/2023

VIKRANT LAXMAN SURYVANSI AND ORS
VERSUS
ICICI LOMBARD GENERAL INSURANCE CO LTD THROUGH
ITS BRANCHEH MANAGER AND ORS

...
Advocate for Applicant : Mr. Pawar Ajay D.
Advocate for Respondent No. 1 : Mr.A. G. Choudhari
...

CORAM : KISHORE C. SANT, J.

DATE : 21st JUNE, 2024.

PER COURT :

1. Heard the parties for some time.
2. This application is filed for withdrawal of the amount of compensation deposited by the appellant/Insurance Company in this Court.
3. The applicant Nos. 1 and 2 are the parents and applicant Nos. 3 and 4 are the sisters of the deceased.

4. The learned Tribunal had directed to pay compensation of Rs. 28,43,000/-. The said amount with interest is deposited by the appellant Insurance Company in this Court.

5. Learned Advocate for the applicants argued that even the applicant No. 1, father of the deceased is now disabled person, the applicants require this amount deposited in this Court.

6. Learned Advocate for the appellant/Insurance Company vehemently opposes the application stating that the learned Member of the Tribunal has considered income of the deceased as Rs. 19,800/- p.m. which is quite high, considering the additional qualification and the nature of the work done by the deceased is concerned, he opposes the application.

7. Considering the rival contentions, this Court is inclined to pass following order :

ORDER

a) The application stands allowed and disposed off.

b) The amount of 50% with accrued interest out of deposited amount in this Court is allowed to be withdrawn by the applicants on furnishing usual undertaking and amount of 30% with accrued interest is allowed to be withdrawn on furnishing solvent surety/security to the satisfaction of the Registrar (Judicial) of this Court, on condition that in case the appeal is allowed, the applicants shall re-deposit the amount in this Court.

**(KISHORE C. SANT)
JUDGE**

mahajansb/