



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

**63 CIVIL APPLICATION NO. 7357 OF 2024
IN FA/1966/2024**

SANGEETA MADHAV LANDAGE AND ORS
VERSUS
ROHIT RAJENDRA RASKAR AND ANR

Mr. Shaikh Sohail Yusuf, Advocate for the applicants.
Mr. M.R. Deshmukh, Advocate for respondent-insurance co.

CORAM : KISHORE C. SANT, J.
DATE : 19.09.2024

PC :-

01. Heard learned Advocates for the parties. This application is for withdrawal of amount of compensation deposited in this Court. The amount of compensation deposited in this Court is Rs.1,01,15,250/-. This application is opposed by learned Advocate Mr. Deshmukh. He submits that the insurance company has filed appeal on two grounds; one contributory negligence and secondly the compensation is awarded is quite high.

02. This Court has gone through the judgment. It is seen from the judgment that the deceased died at the age of 54 years. He was working as a teacher. The learned Tribunal has considered income of Rs.72,670/- per month. Learned Advocate for insurance company for further submits that the income is considered without personal deductions.

03. Considering the above, the following order :-

ORDER

(i) The applicants are permitted to withdraw 50% of the amount deposited along with accrued interest on giving usual undertaking.

(ii) Further 10% amount along with accrued interest is permitted to be withdrawn on furnishing solvent surety/security to the satisfaction of the learned Registrar (Judicial) of this Court.

(iii) Remaining amount shall be invested in fixed deposit to be renewed periodically till disposal of the appeal.

(iv) The civil application is accordingly partly allowed and is disposed off.

[KISHORE C. SANT, J.]