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

**118 CIVIL APPLICATION NO. 7379 OF 2024
IN FAST/6037/2024**

JAYASHRI DADASAHEB BHITADE AND ORS

....Applicants

VERSUS

**UNITED INDIA INSURANCE CO LTD THROUGH THE BRANCH
MANAGER AND ORS**

.....Respondents

Mr. S. B. Choudhari, Advocate for the applicants

Mr. S. S. Rathi, Advocate for respondent No.1

CORAM : KISHORE C. SANT, J.

DATE : 12th SEPTEMBER, 2024

P. C.

1. Heard the parties.

2. This application is for withdrawal of the amount by the original claimants. The applicants are wife, daughter, son and mother of the deceased who were totally dependent on the deceased.

3. The learned trial court awarded the amount of

Rs.9,47,500/-.

4. The application is vehemently opposed by the appellant. He submits that the driver of the offending vehicle was not possessing effective and valid permit on the date of accident. There is also a defense of contributory negligence raised. He, thus, opposed the application.

5. Considering the submission following order:

ORDER

a] The applicants are allowed to withdraw 50% of the amount deposited in this court alongwith accrued interest, if any. Further 25% of the amount is allowed to be withdrawn alongwith accrued interest on furnishing solvent surety/security to the satisfaction of the learned Registrar (Judicial) of this court. Remaining amount be kept in a fixed deposit in any nationalized bank to be renewed from time to time pending the appeal.

b] The application stands disposed off.

[KISHORE C. SANT, J.]