



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 11737 OF 2018 IN FA/579/2019

Alka Ajinath @ Adinath Sasane And Others
VERSUS
Cholamandalam General Insurance Co. Ltd., And Another

.....
Mr. S.D. Kotkar, Advocate for Applicants
Mr. Anhijit Choudhari, Advocate for Respondent No.1
.....

[CORAM : NITIN B. SURYAWANSHI, J.]

DATE : 14th DECEMBER, 2024

ORDER :

1. Heard.
2. This application is filed by claimants for withdrawal of compensation amount deposited by the insurance company.
3. Claim was filed by applicants on account of death of Ajinath @ Adinath Sasane. Tribunal has awarded compensation of Rs.34,76,705/-, which is deposited by the insurance company in this Court.
4. Learned advocate for the insurance company strenuously opposed the application stating that, in the first appeal, involvement of the vehicle is questioned and the award is challenged on that ground.

5. Considering the fact that, accident has taken place in the year 2011 and the judgment and order is passed on 01.06.2017, and till date, claimants have not received compensation amount except 'no fault liability' amount, the application is partly allowed.

6. Applicants/claimants are permitted to withdraw 50% amount along with proportionate interest accrued thereon, on furnishing usual undertaking to the satisfaction of the Registrar (Judicial). Remaining 50% amount be invested in Fixed Deposit till disposal of the first appeal.

[NITIN B. SURYAWANSHI]
JUDGE