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

**948 CIVIL APPLICATION NO. 10224 OF 2024
IN FAST/21466/2023**

RANI MADHAN CHOURASIYA AND OTHERS

....Applicants

VERSUS

**THE NEW INDIA ASSURANCE COMPANY LTD THROUGH ITS
AUTHORISED SIGNATORY**

.....Respondent

Mr. Siddiqui Ahmed Mushfiq, Advocate for the applicants

Mr. V. R. Mundada, Advocate for the respondents

CORAM : KISHORE C. SANT, J.

DATE : 22nd NOVEMBER, 2024

P. C.

1. Heard the application.
2. The learned advocate for the applicants submits that the applicants have lost earning member of their family. They required amount for their day-to-day survival.
3. The application is vehemently opposed by the learned advocate for the respondents.

4. It is the case of the appellant-insurance company that the deceased died due to natural death and not due to vehicular accident.

5. However, considering that the applicant No.1 is the lady and applicant No.2 is only 17 years old, and is unable to earn, following order :

ORDER

- a] The application is allowed.
- b] The applicants are permitted to withdraw 50% of the amount lying with the learned Commissioner on furnishing usual undertaking that in case the appeal is allowed, they shall re-deposit the the amount within 12 weeks from such judgment.
- c] The amount to the extent of applicant No.2 be kept in a fixed deposit in any nationalized bank till he attains majority.
- d] With this, the application is disposed off.

[KISHORE C. SANT, J.]