



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

**928 CIVIL APPLICATION NO. 13995 OF 2022
IN FA/1980/2012**

MEERABAI NAMDEV KHARAT AND ORS

VERSUS

THE NEW INDIA ASSURANCE CO. LTD., THR ITS BRANCH MANAGER,
JALNA AND OTHERS

...

Advocate for Applicant : Ms. P. P. Wangikar h/f Mr. Gore R. V. Gore

Advocate for Respondent No.4 : Mr. S. V. Kulkarni

Advocate for Respondent No.1 : Mr. M. R. Deshmukh

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CORAM : ARUN R. PEDNEKER, J.

Dated : March 01, 2024

PER COURT :-

1. The present application is filed for withdrawal of amount which is kept in fixed deposit.

2. Prayer Clause 'B' of the application reads as under : -

"B) The applicants no.1 to 3 i.e. original claimants in M.A.C.P. No.20/2011, may kindly be allowed to withdraw the amount deposited by the respondent no.2 United India Insurance Company and which is kept in fix deposit by the learned Tribunal, in connection with judgment and award dated 06/07/2012 passed by Motor Accident Claims Tribunal, Jalna in M.A.C.P.No.20/2011 and for that purpose issue necessary directions to Nazarat Section."

3. The learned Advocate for the applicants submits that this Court by order dated 05th November, 2012 directed the New India Assurance Company Limited to deposit the entire amount of compensation. The amount which came to the share of minor applicants was kept in fixed

deposit. Now the applicants are major and the learned Advocate for the applicants submits that amount kept in fixed deposit be permitted to be withdrawn.

4. The learned Advocate for the applicants has placed on record order of this Court passed in CA/8883/2021 in FA/1980/2012, dated 08/07/2022, wherein the applicants are permitted to withdraw 50% amounts of their share along with accrued interest thereon by furnishing undertaking before the learned Registrar Judicial of this Court.

5. In view of the above, the applicants are allowed to withdraw 50% amount of their share along with accrued interest thereon by furnishing undertaking before the learned Registrar Judicial of this Court. The application is disposed of.

(ARUN R. PEDNEKER, J.)

vj gawade/-.