



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

**940 CIVIL APPLICATION NO. 14813 OF 2023
IN FA/3140/2009**

ARUNA BHAUSAHEB KALOKHE AND ORS

VERSUS

NEW INDIA ASSURANCE CO. LTD. THR ITS DIVISIONAL MANAGER,
AURANGABAD AND ANR

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Advocate for Applicant : Mr. V.S. Bedre

Advocate for Respondent No.1 : Mr. A.B.kadethankar

...

**WITH CIVIL APPLICATION NO. 8779 OF 2018
IN FA/3140/2009**

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CORAM : ARUN R. PEDNEKER, J.

Dated : January 25, 2024

PER COURT :-

1. Heard the learned Advocate appearing on behalf of the respective parties.
2. The first appeal is preferred by the Insurance Company challenging the award passed by the Motor Accident Claim Tribunal granting compensation to the claimants. The appeal is admitted and stay is granted on the condition of deposit of 100% amount as directed by the Tribunal.
3. The Civil Application No.14813 of 2023 is filed by the widow, children of the deceased seeking withdrawal of amount deposited of their share as well as share of the late parents of the deceased.

4. The applicants widow and major children are permitted to withdraw 50% of the deposited amount along with accrued interest thereon till date to the extent of their shares as directed by the Tribunal, subject to filing of undertaking to the satisfaction of the Registrar Judicial of this Court.
5. The applicants widow and children are also permitted to withdraw 50% of deposited amount along with accrued interest thereon till date to the extent of share granted to the deceased parents as directed by the Tribunal, subject to filing of undertaking to the satisfaction of the Registrar Judicial of this Court.
6. In view of the above, the application for withdrawal of amount stands disposed of.
7. List the appeal for hearing on 22/02/2024.
8. CA/8779/2018 in FA/3140/2009 stands disposed of as does not survive.

(ARUN R. PEDNEKER, J.)