



IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD.

**24 CIVIL APPLICATION NO. 12390 OF 2024
IN FAST/10527/2024**

AASHA W/O SANTOSH KADAM AND ORS
VERSUS
RELIANCE GENERAL INSURANCE COMPANY LTD THROUGH ITS
BRANCH MANAGER C9 10 2ND FLOOR AURANGABD AND ANR

...
Advocate for Applicant : Mr. Mahesh Kale.

Advocate for Respondent No.1 : Mr. Aniruddha S. Usmanpurkar.

...

AND
CIVIL APPLICATION NO. 3682 OF 2024
IN FAST/10527/2024

AND
CIVIL APPLICATION NO. 3683 OF 2024
IN FAST/10527/2024

...

CORAM : **KISHORE C. SANT, J.**

DATE : 03rd December, 2024.

P.C.:

. Heard the learned counsel for the parties.

Application for condonation of delay:

2 The applicant to take steps as regards deceased respondent
No.6.

Application for stay:

3 Since the entire amount is already deposited by the appellant /
applicant in the office of this Court, there shall be stay to the impugned

judgment and award till disposal of the appeal. The application stands disposed of.

Application for withdrawal of amount:

4 This application is for withdrawal of the amount deposited by the appellant / insurance company in the office of this Court.

5 The application is vehemently opposed by the learned counsel for the insurance company. He submits that the main grounds in the appeal are of contributory negligence and quantum.

6 Considering the above, the following order is passed:-

ORDER

- I. The applicant Nos.1, 4 and 5 are permitted to withdraw 50% of the amount of their share alongwith accrued interest deposited in this Court on furnishing usual undertaking. Further 25% of the amount with accrued interest is allowed to be withdrawn on furnishing solvent surety/security to the satisfaction of the learned Registrar (Judicial) of this Court.
- II. The amount of the share of minors applicant Nos.2 and 3 and the remaining amount be kept in fixed deposit in any nationalized bank till disposal of the appeal.
- III. The interest on the amount of minors applicant Nos.2 and 3 be credited to the account of applicant No.1, who is mother, every quarter.

- IV. With this, the civil application for withdrawal of amount stands disposed of.

[KISHORE C. SANT, J.]

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