



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

902 FIRST APPEAL NO. 3753 OF 2022

MAGMA HDI GENERAL INSURANCE CO. LTD., THR ITS LEGAL OFFICER,
AHMADABAD

VERSUS

MANISHA SURYAKANT ATOLE AND ORS

WITH

**CIVIL APPLICATION NO. 8428 OF 2024
IN FA/3753/2022**

MANISHA SURYAKANT ATOLE AND ORS

VERSUS

MAGMA HDI GENERAL INSURANCE CO. LTD., THR ITS AUTHORIZED
SIGNATORY, BRANCH AURANGABAD AND ANR

Mr.S.S. Patil, Advocate for the appellant.

Mr.S.B. Tarde, Advocate for the respondent-claimant.

CORAM : KISHORE C. SANT, J.

DATE : 05.09.2024

PC :-

01. Heard.

02. The appellant-insurance company has filed this appeal mainly on the ground that the amount of damages granted is at exorbitant rate. However, at the same time, no amount towards future prospects is granted by the learned Tribunal. In view of this, the insurance company has instructed to withdraw the appeal. A letter to that effect is produced on record, which is taken on record and marked "X" for the purpose of identification. It is also pointed

out that inspite of service, original claimants have not filed any cross-objection or independent appeal. In view of this, leave is granted to withdraw the appeal.

03. The appeal is disposed off as withdrawn.

04. In view of withdrawal of the appeal, pending civil application also stands disposed off.

05. The amount lying in the office of this Court is permitted to be withdrawn by respondent Nos. 1 to 5. However, the amount towards minor children shall be withdrawn on a condition that the respondent No.1 would keep the said amount in the fixed deposit till the children attain majority. Quarterly accrued interest on said fixed deposit shall be transferred to the account of respondent No.1 – mother of the children.

[KISHORE C. SANT, J.]