



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

CIVIL APPLICATION NO. 15442 OF 2023  
IN FAST/12826/2023

SADHANA WD/O ARUN GAROLE AND OTHERS  
VERSUS  
THE ORIENTAL INSURANCE CO.LTD AND ANOTHER

...  
Advocate for Applicant : Mr. Pawankumar S. Agrawal  
...

**CORAM : S. G. MEHARE, J.**  
**DATE : 25-01-2024**

**PER COURT :-**

1. Heard the learned counsel for the applicants. None present for the appellant/respondent No.1.
2. The claimants were the wife, minor children and parents of the deceased. The learned Tribunal has apportioned amount of the award equally.
3. The learned counsel for the applicants submits that the appeal has been preferred only on the ground that the compensation assessed is exorbitant. He also submits that the deceased was a Teacher and had fixed income. Hence, compensation was correctly assessed.
4. In view of the facts of the case, application deserves to be partly allowed. Hence, the order;

- i) The application is partly allowed.
- ii) Applicants No.1 to 4 (wife, children and mother of the deceased) are permitted to withdraw the amount with proportionate accrued interest to the extent of their share as apportioned by the learned Motor Accident Claim Tribunal, on furnishing an undertaking that they will deposit the amount, if the impugned judgment and award is reversed.
- iii) Applicant No.1 / mother shall submit undertaking for herself and on behalf of minor children.
- iv) The share of applicants No.2 and 3/children be invested in the fixed deposit in any Nationalized Bank under the guardianship of applicant No.1/mother with right to get the interest at quarterly rests, till they attain the majority.

**( S. G. MEHARE )**  
**JUDGE**

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