



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 14634 OF 2023
IN FA/4432/2023

Hanumant Shivaji Bhosle And Others

....Applicants

VERSUS

The New India Insurance Corrected Assurance Co Ltd Raipur Through
Branch Manager

.....Respondent

.....

Advocate for Applicants : Mr. P. S. Chavan

Advocate for Respondent Nos. 1 and 2 : Mr. S.R. Bobade

.....

CORAM : S. G. MEHARE, J.

DATE : 19.01.2024

PER COURT :

1. Heard the learned counsel for the applicants and the learned counsel for the respondent/appellant.
2. The insurer impugned the award on the ground that the insurer was not negligent. However, the liability has been illegally imposed upon him.
3. The learned counsel for the applicants would submit that it was a death of 10 year's old boy who was traveling in the Jeep. The award of Rs. 5,70,000/- was passed. Considering the admitted position that

the deceased child was travelling in a Jeep and amount of compensation following order is passed.

ORDER

- (i) The application is allowed.
- (ii) The applicant is allowed to withdraw the entire amount deposited with accrued interest thereon if any on the undertaking that he will deposit the amount of compensation if the award is reversed.

(S. G. MEHARE)
JUDGE

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