

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

**14 CIVIL APPLICATION NO. 2441 OF 2024
IN FA/3368/2019**

**LALITABAI TUKARAM NAGARGOJE AND OTHERS
VERSUS
IFFCO TOKYO GENERAL INSURANCE CO. LTD., THROUGH
ITS MANAGER, AURANGABAD**

...
Mr. Wasif Shaikh, Advocate holding for Mr. M.D. Narwadkar,
Advocate for the applicants.
Mr. Anand Dale, Advocate holding for Mr. S.S. Rathi, Advocate
for respondent No.1.
...

CORAM : SANDIPKUMAR C. MORE, J.

DATED : 10 MARCH 2025

ORDER:-

1. Heard rival submissions.
2. The application is for transmitting the amount of compensation which is to be withdrawn under order dated 23.07.2021, to the concerned Motor Accident Claims Tribunal, Kandhar. The learned Counsel for the applicants submits that applicant No.1, due to medical emergency and applicant No.5 due to old age, are unable to come to this Court to withdraw the compensation amount. He further pointed out that the original claimant Namdeo Tukaram Nagargoje is also no more.

3. As per order dated 23.07.2021 only present applicant Nos.1 and 5 appear entitled for withdrawal of 75% of the deposited amount of compensation falling to their respective shares. The present applicant Nos.2 to 4 are still minor and the original claimant No.6 Namdeo is no more. As such, there is no question of transferring their respective amounts. Under such circumstances, the application is partly allowed and only the amounts falling to the shares of applicant Nos.1 and 5 to the extent of 75% alongwith the proportionate interest thereon be transmitted to concerned M.A.C.T. at Kandhar for withdrawal by them.

4. Application is accordingly disposed of.

(SANDIPKUMAR C. MORE, J.)