

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

**10 CIVIL APPLICATION NO. 3916 OF 2022
IN FAST/30053/2019**

ANITA BHAGWAN RATHOD AND ORS

....Applicants

VERSUS

THE NEW INDIA ASSURANCE CO. LTD., THR ITS
AUTHORIZED SIGNATORY, AURANGABAD AND OTHERS

.....Respondent

.....

Advocate for Applicants : Ms. Neha Udavant h/f

Mr. S. J. Salunke

Advocate for Respondent No.1 : Mr. M. R. Deshmukh

...

CORAM : SANDIPKUMAR C. MORE, J.

DATED : 03 FEBRUARY , 2025

ORDER:-

1. Heard rival submissions.

2. The applicants/claimants are seeking withdrawal of entire amount deposited by the appellant/Insurance Company. However, under order dated 17th March 2022, this Court has recorded submissions of learned counsel for appellant/Insurance Company as to how the learned Tribunal committed serious mistakes in computing the amount of compensation. As such, considering the same, applicants/claimants are permitted to withdraw 50% of the deposited amount of

compensation along with the proportionate interest accrued thereon till date, in equal proportion on furnishing usual undertaking to the satisfaction of the learned Registrar (Judicial) of this Court.

3. The remaining amount be invested in FDR in any Nationalized Bank on the yearly renewal basis during pendency of this Appeal.

4. The Civil Application stands disposed of.

(SANDIPKUMAR C. MORE, J.)

Y.S. Kulkarni