



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

**CIVIL APPLICATION NO. 3024 OF 2025
IN FA/354/2025**

**SEEEM W/O SAMBHAJI DEVKATE AND ORS
VERSUS
RELIANCE GENERAL INSURANCE CO, LDT THROUGH AND
ANR**

...
Mr. Ram Shivajirao Shinde, Advocate for Applicants.
Mr. A. S. Usmanpurkar, Advocate for Respondent No.1.
...

**CORAM : S. G. CHAPALGAONKAR, J.
DATED : 21st MARCH, 2025.**

P.C.:-

1. Heard learned Advocates appearing for respective parties.
2. The appellant/insurer filed present Appeal assailing award dated 24.05.2024 in M.A.C.P. No.114/2022.
3. By this application, applicants are seeking withdrawal of amount of compensation deposited as per award passed by Tribunal.
4. Mr. Usmanpurkar, learned Advocate appearing for respondent no.1 submits that this is a case where deceased himself has contributed in cause of accident. Similarly, assessment of compensation is also exponential.
5. Considering nature of objection to the award and reasoning as adopted by Tribunal, claimants are certainly entitled for partial withdrawal of amount. It can be observed that claimant nos.2 to 5 are minors and amount falling to their share is directed to be kept

in fixed deposits, which need not be disturbed at this stage. Hence following order:

ORDER

- a. Civil Application is allowed.
- b. The claimant nos.1 and 6 are permitted to withdraw amount alongwith accrued interest thereon falling to their share as per apportionment made under impugned award.
- c. Balance of the amount shall be kept in fixed deposits.
- d. The withdrawal of amount shall be subject to condition that applicant nos.1 and 6 file an undertaking to the satisfaction of Registrar (Judicial) of this Court that in case adverse order is passed they shall re-deposit amount in this Court.

(S. G. CHAPALGAONKAR)
JUDGE

Devendra/March-2025