

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

**941 CIVIL APPLICATION NO. 3498 OF 2024
IN FA/708/2020**

**SHOBHA SHIVRAJ GALLELU AND OTHERS
VERSUS
MAJAHAR M.A. LAEKH M.D.**

...
Mr. Taher Ali Quadri, Advocate for the applicants.
Mr. Abhijit Choudhari, Advocate for respondent No.1.
...

CORAM : SANDIPKUMAR C. MORE, J.

DATED : 31 JANUARY 2025.

ORDER:-

1. Heard rival submissions.
2. The applicants are seeking withdrawal of the entire amount of compensation alongwith the interest accrued thereon, which has been deposited by the appellant Insurance Company.
3. The learned Counsel for the Insurance Company opposed the application on the ground that the offending vehicle was not involved in the accident. However, the involvement is admitted by the owner of offending vehicle. Further, notice to respondent No.4 is yet to be served.
4. The respondent No.2 Jyotsna in the appeal i.e. daughter of deceased is still minor. Therefore, considering the quantum compensation granted by the learned Tribunal, the applicant

Nos.1 and 3(1) to 3 (4) are permitted to withdraw the amount of compensation as directed by the learned tribunal alongwith the proportionate interest accrued thereon till date, on usual undertaking to the satisfaction of the Registrar (Judicial) of this court.

5. The amount falling to the share of applicant No.2 Jyotsna be kept in FDR in any nationalized Bank on yearly renewal basis till she attains majority. She is at liberty to file separate withdrawal application upon attaining majority.

6. The civil application is accordingly disposed of.

(SANDIPKUMAR C. MORE, J.)