

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

**921 CIVIL APPLICATION NO.7904 OF 2021
IN FA/3221/2019**

**THE ORIENTAL INSURANCE CO. LTD. THROUGH ITS
AUTHOSIZED SIGNATORY, AURANGABAD
VERSUS
SONALI NAGNATH KOREWAD AND OTHERS**

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Mr. Dhananjay Deshpande, Advocate for the applicant.
Mr. Dnyaneshwar Pokale, Advocate for respondent Nos.1 to 5.

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CORAM : SANDIPKUMAR C. MORE, J.

DATED : 20th January 2023.

ORDER:-

1. The application is filed by appellant Insurance Company for refund of excess amount of Rs. 25,000/-. The record shows that the learned Tribunal has awarded amount of Rs. 49,67,564/- alongwith certain interest. The applicant Insurance Company has deposited the aforesaid amount and also the amount of Rs. 7,94,654/- towards interest. Thus, in all amount of Rs. 57,62,228/- has been deposited. However, the amount of statutory deposited which was deposited by the Insurance Company, was not considered in the aforesaid amount, and therefore, it remains as an excess amount.

2. Though the learned Counsel for respondents Nos.1 to 5 – claimants raised objection, but it appears from record

that the amount of statutory deposit of Rs. 25,000/- has become excess amount. In view of the same, the application is allowed in terms of prayer clause (B) and the aforesaid excess amount of Rs. 25,000/- deposited by applicant Insurance Company be refunded to it alongwith accrued interest thereon, till date.

3. The application is accordingly disposed of.

(SANDIPKUMAR C. MORE, J.)