

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

958 CIVIL APPLICATION NO.13669 OF 2023
IN FA/3089/2023
WITH CA/5253/2023 IN FA/3089/2023

SHAMNANDA DATTATRAY JADHAV AND ORS
VERSUS
THE ORIENTAL GENERAL INSURANCE COMPANY LTD
AND ORS

...

Advocate for Applicants : Mr.A.G.Vasmatkar
Advocate for Respondent no.1 : Mr.D.P.Deshpande
Advocate for Respondent nos.2 and 3 : Mr.S.S.Rathi

...

CORAM : ARUN R. PEDNEKER, J.

DATE : 07.11.2023

P.C. :

**A] ORDER IN CIVIL APPLICATION FOR
WITHDRAWAL**

1] The First Appeal is filed by the Insurance Company only to the extent of the amount of Rs.7,50,000/- granted by the Tribunal under the Motor Vehicles Act.

2] The stay is granted subject to deposit of entire amount in this Court. Amount has been deposited in this Court. The present Civil Application is filed by the claimants for withdrawal of the amount.

3] The applicants are permitted to withdraw the amount of compensation deposited in this Court to the

extent of their shares excluding Rs.7,50,000/- along with accrued interest thereon till the date subject to furnishing undertaking to the satisfaction of the Registrar [J.] of this Court. Excluding Rs.1,50,000/- from each of the claimant, remaining amount be disbursed to the claimant along with interest accrued thereon. Civil Application is disposed of accordingly.

B] ORDER IN CIVIL APPLICATION FOR STAY

Since the appellant – Insurance Company has deposited the amount as directed by this Court, the interim stay granted by this Court stands confirmed. Civil Application is disposed of accordingly.

C] ORDER IN FIRST APPEAL

1] First Appeal is admitted. On admission, Mr.S.S.Rathi, learned counsel waives notice for respondent nos.6 and 7.

2] Call R. & P.

3] List the First Appeal on 2nd January, 2024.

**[ARUN R. PEDNEKER]
JUDGE**