

**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 2<sup>nd</sup> January, 2024.

**[ARUN R. PEDNEKER]  
JUDGE**