

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

**CIVIL APPLICATION NO. 2655 OF 2023 IN
FIRST APPEAL ST. NO. 30218 OF 2022**

Sharada Ambadas Jaybhaye
and others

Applicants

Versus

Vikas Bhagwan Bade & others

Respondents

Mr. R. B. Dhakane, advocate for the Applicants
Mr. A. S. Usmanpurkar, advocate for Respondent No.3.

CORAM : SANDIPKUMAR C. MORE, J.

DATE : 25th April, 2023.

PC :

Heard rival submissions.

The applicants are seeking withdrawal of entire amount of compensation, which has been deposited by the appellant-Insurance Company.

The learned Counsel for the appellant-Insurance Company strongly opposed the application on the ground of non involvement of the alleged offending vehicle and exorbitant compensation.

However, it appears that applicants no.2 to 4 are minors and applicant no.5 is no more. Therefore, considering

the amount of compensation granted by the learned Tribunal and the grounds raised in appeal, only applicants no.1 and 6 are permitted to withdraw their respective shares in the compensation amount along with proportionate interest accrued thereon, as determined by the learned Tribunal, on furnishing usual undertaking to the satisfaction of Registrar (J) of this Court. The remaining amount be invested in FDR, in any Nationalised Bank, on yearly renewal basis, till final disposal of this appeal.

The minor-applicants are at liberty to claim withdrawal of their respective shares on attaining majority. If such application is filed, same would be considered on its own merits.

Civil Application is disposed of.

(SANDIPKUMAR C. MORE)
JUDGE

adb

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

**CIVIL APPLICATION NO. 15648 OF 2022 IN
FIRST APPEAL ST. NO. 30218 OF 2022**

The New India Assurance Co. Ltd.

Applicant

Versus

Smt. Sharda Ambadas Jaybhaye
and others

Respondents

Mr. A. S. Usmanpurkar, advocate for Respondent No.3.
Mr. R. B. Dhakane, advocate for Respondents.

CORAM : SANDIPKUMAR C. MORE, J.

DATE : 25th April, 2023.

PC :

The applicant-Insurance Company is seeking
condonation of delay of only 08 days.

Considering the short period of the delay, it stands
condoned.

Appeal be placed for admission after removal of
office objections, if any.

Civil Application is disposed of.

**(SANDIPKUMAR C. MORE)
JUDGE**

adb

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

**CIVIL APPLICATION NO. 15649 OF 2022 IN
FIRST APPEAL ST. NO. 30218 OF 2022**

The New India Assurance Co. Ltd.

Applicant

Versus

Smt. Sharda Ambadas Jaybhaye
and others

Respondents

Mr. A. S. Usmanpurkar, advocate for Respondent No.3.
Mr. R. B. Dhakane, advocate for Respondents.

CORAM : SANDIPKUMAR C. MORE, J.

DATE : 25th April, 2023.

PC :

Since the appellant-Insurance Company has deposited entire amount of compensation along with interest, the application is made absolute in terms of prayer clause {B} and disposed of.

**(SANDIPKUMAR C. MORE)
JUDGE**

adb