

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

**27 CIVIL APPLICATION NO.580 OF 2023
IN FA/1613/2022**

**KAILAS S/O DHONDIBA AHER AND ANOTHER
VERSUS
SADASHIV DAGADU PATIL AND OTHERS**

...
Advocate for Applicants : Mr. Nilkanth R. Pawade
Advocate for Respondent Nos. 1 and 2 : Mr. R. V. Gore

...
CORAM : SANDIPKUMAR C. MORE, J.

DATE : 23.01.2023

PER COURT :

Heard rival submissions. The applicants -claimants are seeking withdrawal of entire amount of deposited amount along with the interest. The learned counsel for the respondent No.1-owner strongly opposed the application on the ground that his vehicle was not involved in the accident. However, on perusal of judgment itself, it is evident that the offence in respect of the accident was registered against the vehicle of respondent No.1. Moreover, out of the compensation only 25% of the amount has been deposited.

2. In view of the above, the applicants are permitted to withdraw the entire deposited amount in this matter along with the accrued interest thereon by furnishing usual undertaking to the satisfaction of the learned Registrar (Judicial) of this Court.

3. The application is accordingly disposed of.

(SANDIPKUMAR C. MORE)
JUDGE

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shp/-