



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

939 CIVIL APPLICATION NO.8945 OF 2023
IN FAST/22037/2023 WITH CA/8944/2023 IN FAST/22037/2023 WITH
CA/13443/2023 IN FAST/22037/2023

THE DIVISIONAL MANAGER, THE ORIENTAL INSURANCE CO. LTD.
VERSUS
VANITA PRADEEP DOKHE AND ORS

...
Advocate for Applicant : Mr. Deshpande Dhananjay P.
Advocate for Respondents No.1 to 5 : Mr. A. A. Fulfagar
...

CORAM : ARUN R. PEDNEKER, J.
DATE : 05/12/2023

PER COURT :

1. Heard the learned Advocate appearing on behalf of the respective parties.
2. The appeal is filed on the ground of non-involvement of the vehicle, however the FIR in the instant case registered on the same day and that only the vehicle driver was unknown. As such, the Tribunal had at paragraph No.15 of his Judgment has held that that the FIR itself, which was registered on the same, indicate that the vehicle was involved in the accident.
3. In CA/13443/2023 filed for withdrawal of amount, the applicants, widow and parents are permitted to withdraw 60% of the compensation amount along with accrued interest thereon till date to

the extent of their shares as directed by the Tribunal, subject to filing of undertaking to the satisfaction of the Registrar Judicial of this Court. Minor applicants share be kept in fixed deposit in any nationalized bank. Application for withdrawal of amount stands disposed of. Applicants are permitted to move an application for withdrawal of amount kept in fixed deposit as and when exigency arises.

4. In ca/8945/2023 filed for Stay, the learned Advocate for the applicant submits that the amount has been deposited in this Court as per the directions of this Court. In view of the same, the Stay order passed by this Court dated 20/07/2023, is confirmed. The application filed for Stay stand disposed of.

5. The appeal is **admitted**.

6. After admission, the learned Advocate Mr. A. A. Fulfagar waives service of notice on behalf of respondents No.1 to 5.

(ARUN R. PEDNEKER, J.)

vj gawade/-.