



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

**CIVIL APPLICATION NO.1976 OF 2024
IN
FIRST APPEAL NO.1086 OF 2020**

Dattatray Vishwanath Shounak
VS.
United India Insurance Co. Ltd.

Mr.S.M.Gunjkar, Advocate h/f. Mr.P.N.Kalani, Advocate for applicant
Mr.Anand Dale, Advocate h/f. Mr.S.S.Rathi, Advocate for respondent
no.2

**CORAM : R.G.AVACHAT AND
NEERAJ P. DHOTE, JJ.
DATE : FEBRUARY 15, 2024**

ORDER :-

This is an application for withdrawal of amount deposited by the insurance company in the appeal, which was filed against the judgment and award dated 02.11.2019 passed by learned Motor Accident Claims Tribunal, Hingoli.

2. It is not disputed that the appeal filed by the insurance company has been dismissed by this court by judgment and order dated 10.01.2024. The applicant – respondent in the appeal (original claimant) seeks withdrawal of the remaining amount, which was deposited by the insurance company in this court.

3. Learned counsel for the respondent-insurance company opposes the application.

4. Since the appeal filed by the insurance company has been dismissed and considering the quantum of the amount, we proceed to pass the following order:-

(i) The application is allowed.

(ii) The applicant is permitted to withdraw the remaining amount deposited in this court along with interest accrued thereon.

[NEERAJ P. DHOTE, J.]

[R.G. AVACHAT, J.]

KBP