



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

**CIVIL APPLICATION NO. 3075 OF 2024
IN FA/2321/2018**

SUGARABI KHALIL SHAIKH AND ORS

VERSUS

**M/S I.C.I.C.I. LOMBORD INSURANCE CO. LTD., THR ITS LEGAL
MANAGER AND ORS**

....

Mr. R. B. Dhakane, Advocate for applicants

Mr. V. N. Upadhye, Advocate for respondent No.1

....

CORAM : Y. G. KHOBRAGADE, J.

DATE : 21 MARCH 2024

PER COURT :-

1. The applicants/original claimants have filed the present application for permission to withdraw the remaining amount on the ground that the First Appeal filed by the non applicant /appellant - insurance company, is dismissed on 13.12.2023.

2. On face of record, it appears that the non-applicant No.1 – insurance company had filed the appeal challenging the judgment and award dated 28.03.2018 passed by the learned

Member, Motor Accident Claims Tribunal at Aurangabad in M.A.C.P No.498 of 2015. In pursuance of order dated 10.12.2018, the present applicant/original claimants were permitted to withdraw an amount of Rs.5,00,000/- (Rupees Five Lakh) out of the total amount of Rs.15,73,799/-, which was deposited by the appellant-insurance company towards compensation with accrued interest thereon. Since the appeal instituted by the non-applicant No.1/original respondent – insurance company, is dismissed on merit, the applicants – original claimants are entitled for remaining amount, which are lying with this Court.

3. The Registry is hereby directed to pay the remaining balance amount with accrued interest, if any, to the applicants/original claimants after verification.

4. The civil application is accordingly disposed of.

[Y. G. KHOBRAGADE, J.]

SMS