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IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 3790 OF 2019
IN
FIRST APPEAL NO.1111 OF 2019

Shaikh Noor Shaikh Budhan

APPLICANT

VERSUS

The New India Assurance Co Ltd., and Others

RESPONDENTS

.....
Mr. P. P. More h/f Mr. T. A. Ghumare, Advocate for the applicant
Mr. M. R. Deshmukh, Advocate for respondent No.1
Mr. S. R. Bodade, Advocate for respondent No.3
.....

[CORAM : NITIN B. SURYAWANSHI, J.]

DATE : 9th AUGUST, 2024

ORDER :

1. This application is filed by the claimant for withdrawal of the amount deposited by the Insurance Company.
2. Learned advocates for insurance companies, respondents No.1 and 3, strenuously opposed the application contending that the Tribunal has wrongly fastened liability only on one insurance Company.
3. The accident has taken place in the year 2009 and for the dispute between two insurance companies, the claimant should not be made to suffer. In that view of the matter and for the

reasons stated in the application, the application is allowed. The claimant is allowed to withdraw 50% of the amount deposited by the insurance company, along with proportionate accrued interest.

**[NITIN B. SURYAWANSHI]
JUDGE**

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