



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

**CIVIL APPLICATION NO. 5342 OF 2024
IN FA/2322/2018**

SMT. SUNITA MACHHINDRA AMLE AND OTHERS
VERSUS
SITARAM RANGNATH GHOLAP

...
Ms. Savita P. Kakade (Matkar), Advocate for Applicant
Mr. D.P. Deshpande, Advocate for Respondent No.2
...

CORAM : NITIN B. SURYAWANSHI, J.

DATE : 12th JULY, 2024

PER COURT :

1. This is an application for withdrawal of amount of Rs.69,06,099/-, deposited by respondent No.2 Insurance Company in the Court.

2. Applicants are original claimants who were awarded compensation of Rs.53,17,300/- by the Tribunal. Applicants so far have withdrawn an amount of Rs.11,00,000/- i.e. Rs.5,00,000/- by applicant No.1 and Rs.2,00,000/- by each applicant Nos. 2 and 3 and Rs.2,00,000/- by mother of the deceased, who is no more. Her death certificate is placed on record.

3. Learned advocate for Insurance Company has strenuously opposed the application contending that the vehicle insured was not at all involved in the accident and after 11 days of the accident FIR was lodged.

4. Taking into consideration the fact that accident has taken place on 19/04/2014 and for the reasons stated in the application, applicants are permitted to withdraw amount of Rs.25,00,000/- along with proportionate interest, on furnishing solvent surety/security to the satisfaction of the Registrar (Judicial) of this Court. Civil application is accordingly disposed of.

(NITIN B. SURYAWANSHI, J.)