



IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

34 CIVIL APPLICATION NO. 5501 OF 2024
IN FA/467/2024

ROHIDAS PANDURANG CHAVAN
VERSUS
PANDIT @ RAJEBHAU S/O SAKHARAM KHARABE AND ANR

...
Advocate for Applicant : Mrs. Kakade (Matkar) Savita
Parmeshwar
AGP for Respondents/State : Mrs. M.L. Sangit
Advocate for Respondent Nos. 2 & 3 : Mr. R.P. Tathod h/f Mr.
S.B. Rathod
...

CORAM : KISHORE C. SANT, J.
DATE : 21st JUNE, 2024.

PER COURT :

1. Heard the parties.
2. This application is for withdrawal of the amount by the injured Original Claimant. The amount is deposited in MACT, Jalna, in MACP No. 85 of 2017 by the Insurance Company in the present appeal.
3. The application mainly opposes by the Respondents on the ground that the Claimant though has stated to be accompanied the driver of the vehicle, i.e. a Tractor, still he had

given the name of some other person as a driver. The name of the driver was given before police after almost four months of the accident. Initially, the name was given as Anil Chavan and after after four months the name was given as Pandit Kharabe. He thus, submits that there are good grounds in the appeal.

4. Considering the above factors, this Court finds that there are good grounds involved in the appeal. Considering that this Court is inclined to pass the following order :

ORDER

- a) The application is allowed and disposed off.
- b) The applicant is permitted to withdraw the amount deposited with accrued interest, subject to furnishing usual undertaking to the satisfaction of the MACT, Jalna.
- c) As the amount is deposited with the MACT Jalna, in view of the above directions the MACT Jalna is directed to pass necessary orders.

**(KISHORE C. SANT)
JUDGE**