



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 9103 OF 2024
IN FAST/38686/2023

Shantabai Chandrakant Jigjeni And Ors

VERSUS

Mayuresh Ganesh Ghanekar And Ors

- Mr. M. D. Shinde, Advocate for the Applicants
- Mr. S. S. Patil h/f Mr. R. H. Dahat, Advocate for Respondent NO. 2

CORAM : KISHORE C. SANT, J

DATE : AUGUST 30, 2024

PER COURT :

1. This application is for withdrawal of the amount deposited by the Insurance Company/Appellant in this Court.

2. Application is vehemently opposed by the learned Advocate for the Appellant stating that in this case entire liability is shifted upon the Insurance Company of one vehicle when there are total three vehicles involved in an accident.

3. Considering that the Applicants are mother and sister of the deceased who died in an accident and it

that they are not in a position to offer any security for the amount withdrawn, this Court is passing following order:

O R D E R

- (a) Application is partly allowed and disposed of.
- (b) Applicants are permitted to withdraw 60% of the total amount deposited by the Appellant in this Court on giving undertaking that in case Appeal is allowed, they shall redeposit the amount with interest within 12 weeks from such judgment. Affidavit be filed before the concerned Court by keeping one copy of the undertaking in the Appeal.
- (c) Amount deposited in this Court be transferred to the learned Motor Accident Claims Tribunal, Osmanabad for further compliance.

(KISHORE C. SANT, J.)