



This Order is Speaking to Minutes order of order dated //

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IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 1310 OF 2025 IN
FAST 24672/2023

Lalita Arun Yeole & others

.. Applicants

VERSUS

Mukesh Ram Nevaj & others

.. Respondents

.....

Mr. A. S. Sawant, Advocate for Applicants.

Mr. S. S. Rathi, Advocate for Respondent No. 3.

CORAM : R. M. JOSHI, J.

DATE : 14th FEBRUARY, 2025.

PER COURT :

1. This is a motion for speaking to the minutes of the order dated 07.02.2025.
2. Learned counsel for the applicant submits that in paragraph No. 4 of the order, the figure Rs.68,28,692/- is wrongly typed and it be replaced by Rs. 65,28,692/-.
3. The error being inadvertent the same be corrected.
Corrected order be uploaded.

(R. M. JOSHI)
Judge

dyb

(This order is modified and uploaded vide speaking to the minutes order dated
14.02.2025.)

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CIVIL APPLICATION NO. 1310 OF 2025 IN
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.. Respondents

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Mr. A. S. Sawant, Advocate for Applicants.

Mr. S. S. Rathi, Advocate for Respondent No. 3.

CORAM : R. M. JOSHI, J.

DATE : 7th FEBRUARY, 2025.

PER COURT :

1. This application is for withdrawal of amount of compensation deposited by appellant/insurance company.

2. It is the contention of learned counsel for applicant/original claimants that the insurer has admitted claim to the extent of Rs. 65,28,692/- and challenge is to the award passed by the Tribunal for granting compensation more than Rs.65,28,692/-. Thus, it is his contention that there is no impediment in permitting

the claimants to withdraw the said amount along with interest at the rate of 9% per annum.

3. Learned counsel for insurer/appellant opposed the application on the ground that interest granted by the Tribunal at the rate of 9% per annum is on higher side.

4. Since there is no dispute about the fact that claim upto Rs.65,28,692/- is admitted by the insurer, there cannot be any impediment in permitting claimants to withdraw said amount. As far as interest at the rate of 9% per annum is concerned, at this stage, prima facie, this court does not find the same to be excessive. Hence, allowed to withdraw amount of **Rs. 65,28,692/-** along with interest at the rate of 9% annum with accrued interest thereon on fixed deposit.

5. Application stands disposed of.

(R. M. JOSHI)
Judge