



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

930 CIVIL APPLICATION NO. 1876 OF 2025
IN FA/1786/2024

Archana Yogesh Desale And Ors

VERSUS

Bajaj Allianz General Insurance Company Ltd And Ors

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Advocate for Applicant : Mr. Mukul Shriram Kulkarni

Advocate for Respondents : Mr. M. R. Deshmukh For R/1

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CORAM : S. G. CHAPALGAONKAR, J.

Dated : March 07, 2025

PER COURT :-

1. Heard learned advocates appearing for the respective parties.
2. The applicants are claimants in MACP no.744 of 2018. It was filed seeking compensation towards accidental death of Yogesh Desale. Learned Tribunal, allowed the claim petition and passed an award for Rs.21,37,869/- alongwith interest @ 9% p.a.
3. Insurer filed present appeal carrying forward its defence of non-involvement of the insured vehicle. In pursuance to the directions given by this Court, an amount of Thirty one Lakh and some odd amount has been deposited with the Registry of this Court.
4. Having considered the submissions advanced and reasoning as adopted by the Tribunal, prima facie, claimants

are entitled to partially withdrawal of the amount as deposited by the Insurer. Hence, following order.

ORDER

- i. Civil application is allowed.
- ii. Claimant no.1 is permitted to withdraw Rs.10.00 Lakh out of the deposited amount and claimant nos.3 and 4 are permitted to withdraw Rs.5.00 Lakh out of the deposited amount, on furnishing usual undertaking to the satisfaction of the Registrar (Judicial) of this Court that the applicants/claimants would re-deposit the amount, in case adverse order is passed.

- iii. CA stands disposed of.

(S. G. CHAPALGAONKAR, J.)

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