



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

**CIVIL APPLICATION NO. 1874 OF 2025  
IN  
FIRST APPEAL NO. 1337 OF 2024**

Vandana Vijay Sontakke and others .. Applicants

**Versus**

ICICI Lombard General Insurance  
Co. Ltd. and another .. Respondents

Shri Arvind R. Kawade, Advocate for the Applicants.  
Shri Mohit R. Deshmukh, Advocate for the Respondent No. 1.

**CORAM : SHAILESH P. BRAHME, J.  
DATE : 30TH JUNE, 2025.**

**FINAL ORDER :**

. Applicants are seeking withdrawal of amount of Rs. 1,22,67,077/- deposited by the respondent No. 1/Insurance Company in this Court. Applicants are dependents and in dire need of money.

2. Learned counsel Mr. Mohit Deshmukh for the respondent No. 1/Insurance company would oppose the application on the ground that the accident shown by the applicants is under grave suspicion. The police papers indicate that it was not an accident by dash of any offending vehicle, rather skidding of the motorcycle. He would strongly oppose for withdrawing the amount as quantum awarded by the Tribunal is unreasonable

and exorbitant.

3. I have considered rival submissions of the parties. I have gone through the findings recorded by the Tribunal. The respondent No. 1/Insurance company has not led any oral evidence. Instead of permitting the applicants to withdraw entire amount, I find it appropriate to disburse 50% of the amount deposited in this Court. The contentious issues can be dealt with during the course of hearing. A bread earner in the family lost his life.

4. For the reasons stated above, the civil application is partly allowed. Applicants are entitled to withdraw 50% of the amount deposited in this Court by the respondent No. 1/insurance company on furnishing solvent surety to the satisfaction of the Registrar (Judicial) of this Court. Balance amount shall be invested in any nationalized bank. The civil application is disposed of.

**[ SHAILESH P. BRAHME J. ]**

*bsb/June 25*