



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

**CIVIL APPLICATION NO. 2135 OF 2025
IN FA/1270/2024**

**SHITALRAVINDRA PAWAR AND 7 OTHERS
VERSUS
AJAY ARJUN YADAV AND ORS**

...
Mr. Arvind Ramnath Kawade, Advocate for Applicants.
Mr. A. S. Usmanpurkar, Advocate for Respondent No.3.

...
**CORAM : S. G. CHAPALGAONKAR, J.
DATED : 21st MARCH, 2025.**

P.C.:-

1. Heard learned Advocates appearing for respective parties.
2. The applicants, who are original claimants in M.A.C.P. No.158/2019 are seeking permission to withdraw amount deposited by respondent/insurer in pursuance to award passed by Tribunal.
3. Perused ground of Appeal. Essentially, appeal is filed on the ground of quantum and negligence. Taking into account reasons as given by Tribunal and grounds of objections, claimants are certainly entitled for partial withdrawal of amount. Apparently, claimant nos.2 and 3 are minors. Therefore, amount falling to their share need not be disturbed. Hence, following order:

ORDER

- a. Civil Application is partly allowed.
- b. The claimant nos.1, 4 and 5 are permitted to withdraw 75% of the amount falling to their share as per apportionment made by Tribunal.

c. The amount falling to share of minor claimants shall remain be invested in fixed deposit till further orders.

d. The withdrawal of amount shall be subject to furnishing of undertaking to the satisfaction of Registrar (Judicial) of this Court that they shall redeposit the amount in case adverse order is passed in Appeal.

(S. G. CHAPALGAONKAR)
JUDGE

Devendra/March-2025