

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

**948 CIVIL APPLICATION NO. 4140 OF 2025
IN FAST/22424/2022**

Bhartibai Ramrao Honmane

....Applicant

VERSUS

Oriental Insurance Co Ltd And Ors.

.....Respondents

.....

Mr. Hanmant Bhagwan Nandagavale, Advocate for Applicant

Mr. Mukesh K. Goyanka, Advocate for Respondent No.1

.....

CORAM : NEERAJ P. DHOTE, J.

DATE : 09.04.2025

PER COURT :

1. This is an Application for withdrawal of remaining 50% amount by the Original Claimant. The Appeal is preferred by the Insurance Company against the Judgment and Award passed by the learned Tribunal, granting compensation towards motor accident.

2. The Insurance Company has deposited total amount Rs.6,58,276/-, which is inclusive of interest. There is no dispute that, the Applicant / Claimant, by Order dated 07/07/2023 passed in Civil Application No.8237/2023, was permitted to withdraw 50% amount of the aforesaid amount deposited by the Insurance Company.

3. Heard the learned Advocate for the Applicant / Claimant and the learned Advocate for the Insurance Company.

4. The Insurance Company has challenged the impugned Award mainly on the ground of findings recorded by the Tribunal on the point of negligence. Considering this, it would be appropriate to permit the Applicant to withdraw 50% of the remaining amount on furnishing solvent surety / security to the satisfaction of the Registrar [Judicial] of this Court.

5. Civil Application stands disposed off accordingly.

[NEERAJ P. DHOTE, J.]

Sameer/April-2025