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941-FA-346-2025

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

941 FIRST APPEAL NO. 346 OF 2025

Divisional Manager, Chol Mandalam M S General Compnay

VERSUS

Sunita Sunil Aadmane And Ors.

WITH

CIVIL APPLICATION NO. 3006 OF 2025

IN FA/346/2025

...

Mr. Abhijit Choudhari, Advocate for Appellant.

Mr. V. S. Badakh, Advocate for Respondent No. 1 to 5.

CORAM : KISHORE C. SANT, J.

DATE : 15th OCTOBER 2025.

PC :-

1. Heard the learned Advocates for the parties.
2. This application is filed for withdrawal of the amount deposited by appellant in the office of this Court.
3. The main objection to the application is that the appeal is filed on substantial ground of quantum. The learned Advocate for the insurance company submits that the court has considered the income of the deceased to be Rs.25,000/- per month which is on higher side

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considering that the deceased was doing ironing work. The business is now continued by his son and there is no loss as such of the income. The court has granted the amount only considering that his job involved a skill. From going through the judgment it is seen that the total amount awarded is Rs.29,75,500/-. Out of which the amount of 14,00,000/- is directed to be deposited in fixed deposit. Thus, out of the said amount, the substantial part of the amount is already secured. This Court thus finds that remaining amount with accrued interest can be allowed to be withdrawn. Hence, the following order:

ORDER

- (i) Application stands allowed.
- (ii) For the purpose of withdrawal, the amount be transferred to the office of learned Member, MACT, Shrirampur.
- (iii) The amount, except Rs.14,00,000/- and interest thereupon, is allowed to be withdrawn alongwith accrued interest on furnishing usual undertaking by applicants.
- (iv) The deposit of Rs.14,00,000/- with interest be kept as it is subject

to judgment of the appeal.

(v) The disbursement shall be made on undertaking by applicants to the effect that in case appeal is allowed, they shall be re-deposit the amount with interest within 12 weeks from the date of such judgment.

(vii) With this, civil application stands disposed off.

FIRST APPEAL

4. Heard.

5. Admit.

6. Since the record and proceeding is already received, place the matter for hearing on on 26th November 2025 with intimation to the parties, if time permits, the court may take up the appeal for final disposal.

[KISHORE C. SANT, J.]