

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 5255 OF 2025
IN FAST/7156/2024

Anita Dhanaji Chougule And Ors

VERSUS

Icici Lombard General Insurance Co Ltd Through Branch Manager
And Anr

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Advocate for Applicants : Mr. Sushant Choudhari
Advocate for Respondent No.1 : Mr. Abhijit Choudhari

WITH

CIVIL APPLICATION NO. 3252 OF 2024
IN FAST/7156/2024

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CORAM : S. G. CHAPALGAONKAR, J.

DATED : MAY 06, 2025

PER COURT :-

1. Heard learned advocates appearing for respective parties.
2. The applicants seek permission to withdraw the amount deposited by respondent/insurance company in pursuance to award dated 04.08.2023 passed by the Tribunal.
3. Learned advocate appearing for applicants submits that as per award passed by Tribunal, applicant no.3 – Aadesh was minor when award was passed. Therefore, compensation amount to his share was directed to be invested in fixed deposit. Now, he attained his majority. As such, permission may be granted to withdraw the amount falling to his share. Learned advocate further submits that so far as other claimants are concerned, this Court permitted withdrawal of 50% on undertaking and same course may be followed.

4. In result, following order is passed :

ORDER

- (i) Application is allowed.
- (ii) Applicant No.3 - Aadesh is permitted to withdraw 50% of compensation amount falling to his share as per apportionment made by the Tribunal on furnishing usual undertaking to the satisfaction of Registrar (Judicial) of this Court.
- (iii) Civil Application stands disposed of.

In Stay Application :

- 5. Heard.
- 6. Mr. Choudhary, learned advocate appearing for applicant submits that entire amount as per award passed under appeal has been deposited with the registry of this Court. His statement is supported with office endorsement. In result, application is allowed in terms of prayer clause (B) and disposed of.

(S.G. CHAPALGAONKAR, J.)