

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

**940 CIVIL APPLICATION NO. 6155 OF 2020
IN FA/2000/2019**

**BABITA BALU CHAVAN AND OTHERS
VERSUS
BAJAJ ALLIANZ GENERAL INSURANCE CO. LTD., THR ITS
BRANCH MANAGER, AURANGABAD AND ANOTHER**

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Mr. Estling Murge, Advocate for the applicants.
Mr. Mohit Deshmukh, Advocate for respondent No.1.

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CORAM : SANDIPKUMAR C. MORE, J.

DATED : 4 MARCH 2025.

ORDER:-

1. Heard rival submissions.
2. The applicants are seeking withdrawal of the entire amount of compensation alongwith the interest accrued thereon, which has been deposited by the respondent Insurance Company.
3. The learned Counsel for the Insurance Company strongly opposed the application on the ground that the offending vehicle was not in fact involved in the accident, but the learned Tribunal cast responsibility of paying compensation on the appellant Insurance Company erroneously.
4. However, considering the compensation granted by the learned Tribunal, the applicant No.1 is permitted to withdraw

amount of Rs. 4,00,000/- from the share granted to her by the learned Tribunal alongwith the proportionate interest accrued thereon till date and the applicant Nos.4 and 5 being the parents of deceased, are permitted to withdraw entire amounts of compensation granted to them by the learned Tribunal alongwith interest thereon till date, on usual undertaking to the satisfaction of the Registrar (Judicial) of this court.

5. The remaining amounts be kept in FDR in any nationalized Bank on yearly renewal basis till final disposal of this appeal.

6. The civil application is accordingly disposed of.

(SANDIPKUMAR C. MORE, J.)