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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD
947 CIVIL APPLICATION NO. 5809 OF 2025
IN FA/4143/2023

SONALI GOVIND NALWAD
VERSUS
PRAKASH GANU GAIKAR
WITH
CIVIL APPLICATION NO. 5811 OF 2025
IN FA/4167/2023

ARUNA RAMRAO GUNDALE
VERSUS
PRAKASH GANU GAIKAR AND OTHERS
WITH
CIVIL APPLICATION NO. 5812 OF 2025
IN FA/4166/2023

MEENA RAMRAO GUNDALE
VERSUS
PRAKASH GANU GAIKAR AND OTHERS
WITH
CIVIL APPLICATION NO. 5810 OF 2025
IN FA/4144/2023

ANUJA AMOL CHILAME AND OTHERS
VERSUS
PRAKASH GANU GAIKAR AND OTHERS
WITH
CIVIL APPLICATION NO. 5813 OF 2025
IN FA/4145/2023

KANCHAN PRADEEP CHOLE AND OTHERS
VERSUS
PRAKASH GANU GAIKAR AND OTHERS

Mr.F.K.Patel, Advocate for the applicants.
Mr.A.B.Kadethankar, Advocate for respondent No.3.

(CORAM : PRAFULLA S. KHUBALKAR, J.)

DATE : JULY 9, 2025

PER COURT :

1. These are the applications for withdrawal of the amount, which was deposited by the Insurance Company during the pendency of the first appeals.
2. The learned Advocate Mr.Patel appears for the applicants and Mr.Kadethankar for respondent No.3 / Insurance Company in all these matters.
3. It is submitted that the Insurance Company had deposited the entire amount of compensation in the statutory appeal, which were filed and the amounts remained deposited in this Court during the pendency of the first appeals. The first appeals came to be decided by way of judgment and order dated 09.07.2024 and the matters were remanded to the Maharashtra Accident Claims Tribunal for deciding the limited aspect of liability of the Insurer to indemnify the insured. It is undisputed position that during the pendency of the appeal, the

applicants/claimants were allowed to withdraw 50% amount deposited and the 50% amount was kept deposited in the Court. It is submitted that since the amount was deposited during the pendency of the appeals and the appeals are decided finally, the applicants who are the dependents of the deceased persons, are entitled for withdrawal of the balance 50% amount.

4. In view of the fact that now the claim petitions are decided by the Tribunal after remand and considering the fact that the amounts sought to be withdrawn by these applications, was deposited during the pendency of the appeals which are already decided, there is no reason to withhold the amount and further there is no impediment to allow the applicants to withdraw these amounts.

5. Considering this, the claimants are allowed to withdraw the remaining 50% amount alongwith the interest accrued thereon, which is deposited in this Court in respective appeals.

6. Civil applications are disposed of.

(PRAFULLA S. KHUBALKAR, J.)