



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

927 CIVIL APPLICATION NO. 3854 OF 2025
IN FA/401/2025

SARIKA SACHIN GIRE AND OTHERS

VERSUS

THE MANAGER ICICI LOMBARD INSURANCE COMPANY LTD AND
ORS

...

Mr. Vijay Prabhakar Latange, Advocate for Applicants.

Mr. Abhijit Choudhari, Advocate for Respondent No.1.

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CORAM : SHAILESH P. BRAHME, J.

DATE : 1st JULY, 2025

PC.:-

1. Heard both sides of the parties.
2. Applicants are seeking withdrawal of amount deposited by the Respondent-Insurance Company. Respondent-Insurance Company has deposited amount of Rs.28,96,692/- in pursuance of the order passed by this Court.
3. Learned Advocate for Respondent No.1 opposes the application. He would submit that exorbitant compensation has been granted by the Tribunal. Once amount is disbursed, it is difficult to recover the same, in case, insurance company succeeds in the present proceedings.
4. After considering rival submissions of the parties, it is evident

that a bread earner in the family has lost his life. Two of the Claimants are minors. There is no reason to doubt the need of the Applicants.

5. However, at the same time, considering submissions of learned Advocate for the Insurance Company, it would not be appropriate to permit the disbursement of the entire amount. I find it fit to permit the Applicants to withdraw 75% of the amount deposited by the Respondent-Insurance Company.

6. Civil application is partly allowed. Applicants are permitted to withdraw 75% of the amount with accrued interest on furnishing an undertaking to the satisfaction of the Registrar (Judicial).

7. The balance amount shall be deposited in any nationalised bank.

(SHAILESH P. BRAHME, J.)