



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

**CIVIL APPLICATION NO. 4488 OF 2025
IN
FIRST APPEAL NO. 537 OF 2025**

Muskan Jalal Shaikh .. Applicant

Versus

Suyabhan Ganpat Ugalmugale
and another .. Respondents

Shri Shaikh Sohail Y. Jahagirdar, Advocate for the Applicants.
Shri A. S. Usmanpurkar, Advocate for the Respondent No. 2.

**CORAM : SHAILESH P. BRAHME, J.
DATE : 21ST AUGUST, 2025.**

FINAL ORDER :

. Heard both sides.

2. Present application is for permitting the applicant to receive an amount of Rs. 58,61,350/- deposited by the respondent No. 2 – Insurance company, besides statutory deposit of Rs. 25,000/-.

3. Applicant – injured was minor and due to accident her leg is amputated. She is praying for disbursement of the amount.

4. Per contra, learned counsel Mr. Usmanpurkar for the insurance company contests the application on the ground that

there is delay in lodging first information report and no independent witness was examined. If the witness was present, then it is incomprehensible as to why ten days were taken to lodge the report.

5. Learned counsel would further submit that exorbitant compensation has been awarded when no further medication was required after amputation of the leg.

6. I have considered rival submissions of the parties. While awarding compensation Tribunal has taken into consideration the judgments of the Supreme Court. The ends of the justice would be made in permitting the applicant to receive 50% of the amount deposited with accrued interest.

7. The civil application is partly allowed permitting the applicant to receive 50% of the amount deposited with accrued interest on furnishing undertaking to the satisfaction of the Registrar (Judicial) of this Court. Balance amount shall be invested in any nationalized bank. The civil application is disposed of.

[SHAILESH P. BRAHME J.]

bsb/Aug. 25