



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

**913 CIVIL APPLICATION NO. 5003 OF 2025
IN FA/760/2023**

Bhaskar Ganpat Chate

VERSUS

Tata Aig General Insurance Co Through Its Manager And Ors

...

Mr. Telgaonkar Nitin Uttamrao, Advocate for Applicant

Mr. Rohit. H. Dalat, Advocate for Respondent

WITH

**CIVIL APPLICATION NO. 1399 OF 2023
IN FA/760/2023**

Tata Aig General Insurance Company Ltd

VERSUS

Bhaskar Ganpat Chate

...

Mr. Dahat Rohit H., Advocate for Applicant

Mr. N. U. Talegaonkar, Advocate Respondent

CORAM : SANJAY A. DESHMUKH, J.

DATE : 25.11.2025

PER COURT :-

APPLICATION FOR STAY

1. This is an application seeking stay to the execution of the impugned judgment and award.

2. The learned advocate for the applicant / appellant submits that the entire amount as per the impugned judgment and award is deposited in this Court.

3. In view of the above, the application is allowed in terms of prayer clause 'B' and disposed of.

APPLICATION FOR WITHDRAWAL OF AMOUNT

1. This is an application seeking permission to withdraw the amount deposited in this Court pursuant to the award.

2. Heard the learned advocates for both sides.

3. Learned advocate for the applicant submitted that earlier 50% of the compensation amount was withdrawn by the claimants. He now prays for withdrawal of the remaining amount of compensation deposited in this Court.

4. Learned advocate for the respondent-Insurance Company strongly opposed the application on the ground that the cover note of the offending vehicle was not issued at the time of the accident. However, learned advocate for the claimant pointed out paragraph No.20 of the impugned judgment of the learned Tribunal, which clarifies that the cover note was in fact issued by the Insurance Company.

5. Perused the application. For the reasons stated therein and apart from the merits of the case, this Court is of the view that the present application deserves to be partly allowed in the interest of justice. Hence, the following order:

::ORDER::

- a. The application is partly allowed.
- b. The applicant is permitted to withdraw 25% of the amount with accrued interest thereon deposited in this Court on furnishing usual undertaking to the satisfaction of the Registrar (Judicial) of this Court.

[SANJAY A. DESHMUKH, J.]

HRJadhav