



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

**CIVIL APPLICATION NO. 5196 OF 2025
IN FAST/5345/2025**

Renuka Shrikant Khatikmare And Others

VERSUS

**Shriram General Insurance Company Ltd Through Its Authorized
Signatory And Anr**

...

Mr. S. S. Dargad, Advocate for Applicants

Mr. Abhijit Choudhari, Advocate for Respondent no.1

WITH

CIVIL APPLICATION NO. 2020 OF 2025 IN FAST/5345/2025

WITH

CIVIL APPLICATION NO. 2021 OF 2025 IN FAST/5345/2025

CORAM : SANJAY A. DESHMUKH, J.

DATED : 26th NOVEMBER, 2025

PER COURT :-

CIVIL APPLICATION NO. 5196 OF 2025

1. This is an application seeking withdrawal of amount deposited by the appellant/Insurance Company in this Court under impugned judgment and award.

2. Perused the application. Heard learned Advocates for both the sides.

3. Mr. Abhijit Choudhari, learned Advocate for respondent no.1 strongly objected the application and submitted that vehicle in question is falsely involved in the accident and there is dispute regarding involvement of vehicle. He therefore submitted to reject the application.

4. On perusal of impugned judgment & award and considering entire facts and circumstances of the case, it will be proper to partly allow the application in the interest of justice. Hence, following order:

ORDER

- a. Civil Application is partly allowed.
- b. Applicants are permitted to withdraw the 50 percent amount out of deposited amount alongwith interest accrued thereon on furnishing usual undertaking to the satisfaction of learned Registrar (Judicial) of this Court.
- c. Applicant nos.2 and 3 being minor, the share lies in their favour be deposited in fixed deposit in any nationalized bank for five years.
- d. Civil Application stands disposed of.

CIVIL APPLICATION NO. 2020 OF 2025

1. This is an application seeking condonation of delay of 58 days caused in filing the present First Appeal.
2. Perused the application. Heard learned Advocates for both the sides.
3. Learned Advocate Mr. S. S. Dargad for the respondent nos.1 to 5 strongly objected the application and prayed to reject the application.

4. Considering the reasons stated in the application and period of delay, this Court is of the view that the delay is not deliberately caused and the application needs to be allowed in the interest of justice. Hence, following order:

ORDER

- a. Civil Application is allowed.
- b. Delay of 58 days caused in filing First Appeal is hereby condoned.
- c. Civil Application stands disposed of.

CIVIL APPLICATION NO. 2021 OF 2025

1. This is an application seeking stay to the execution and operation of impugned judgment and award.
2. Perused the application. Heard learned Advocates for both the sides.
3. Learned Advocate for the appellant submitted that as per the impugned judgment and award appellant has deposited the entire award amount in this court. Hence, following order:

ORDER

- a. Civil Application is allowed in terms of prayer clause B and disposed of.

FIRST APPEAL ST. NO.5345 OF 2025

1. Issue notice to the respondents, returnable on 14.01.2026.
Learned Advocate Mr. S. S. Dargad waives service of notice for
respondent nos.1 to 5.

(SANJAY A. DESHMUKH, J.)

Rushikesh/2025