



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

**CIVIL APPLICATION NO. 7976 OF 2024
IN FA/2051/2024**

**SHOBHA RAJENDRA NAGARE AND ORS
VERSUS
RAZA HAIDAR RIZZVI RAZA AND ORS**

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Advocate for Applicants : Mr. Shaikh Sohail Yusuf
Advocate for Respondent No.2 : Mr. Swapnil S. Patil h/f
Mr. Rohit H. Dahat

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CORAM : SHAILESH P. BRAHME, J.

DATE : 2nd JULY 2025

PER COURT :

1. This application is for withdrawal of amount of Rs.21,48,559/- deposited by the Respondent/Insurance Company.
2. The application is strongly opposed by learned Counsel Mr. Swapnil Patil on account that the insurance policy pressed into service, is found to be bogus and forged. It is contended that sufficient evidence is placed before the Tribunal, despite that the compensation was awarded. He further submits that the quantum has also been challenged.
3. Considering the submissions of the parties and specially plea raised by the Respondent/Insurance Company that the policy in question is fake, I find it appropriate to permit the Applicants to

receive 30% of the amount only. It is also worth noting that Respondent/Insurance Company has not lodged any complaint with the police.

4. Civil Application is partly allowed.

5. Applicants shall be disbursed 30% of the amount on furnishing undertaking to the satisfaction of the Registrar (Judicial) of this Court.

6. Balance amount shall be invested in the Nationalized Bank.

SHAILESH P BRAHME
JUDGE

NAJEEB..