



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

970 CIVIL APPLICATION NO. 6874 OF 2025
IN FA/1028/2025

BABASAHEB PANDHARINATH VIDHATE THROUGH SAMADHAN
PANDHARINATH VIDHATE

VERSUS

THE BRANCH MANAGER THE NEW INDIA ASSURANCE COMPANY LTD
SHRIRAMPUR BRANCH AND ORS

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Advocate for Applicant : Mr. Prathamesh V. Chaudhari h/f Mr. Rahul R.
Karpe

Advocate for Respondent no. 1 : Mr. M.M. Ambhore

Advocate for Respondent nos. 2 & 3 : Mr. Ajit B. Chormal

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CORAM : SHAILESH P. BRAHME, J.

DATE : 04.09.2025

PER COURT :

Heard both sides.

2. The applicant seeks withdrawal of amount of RS. 20,66,143/-, besides statutory deposits of Rs. 25,000/-. Due to the disability suffered by the applicant, the amount is solicited.

3. The insurance company has contested the application on the ground that involvement of the vehicle is suspicious. There is no adequate evidence disclosing income of the injured. The witness examined by the claimant is untrustworthy.

4. I have considered the rival submissions of the parties. I have also gone through the impugned judgment. The insurance company did not lead any evidence nor did it file any complaint regarding false involvement of the vehicle. Ends of justice would be made in permitting the applicant to receive

75% of the amount with accrued interest.

5. The application is partly allowed permitting the applicant to receive 50% of the amount with accrued interest on furnishing undertaking to the satisfaction of the Registrar (Judicial) of this Court and 25% of the amount with accrued interest on furnishing solvent surety/security to the satisfaction of the Registrar (Judicial) of this Court. Balance amount shall be invested in any nationalized bank.

(SHAILESH P. BRAHME, J.)

mkd/-