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919-CA-7221-2025

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

919 CIVIL APPLICATION NO. 7221 OF 2025
IN FA/1778/2023

Kamalbai Bhagwant Kamble And Ors
VERSUS
Icici Lombard General Insurance Company Limited
WITH
CIVIL APPLICATION NO. 5135 OF 2023
IN FA/1778/2023

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Mr. Prasad D. Wakhare h/f Mr. Amar Vinayakrao Lavte, Advocate for Applicant.

Mr. Vinayak N. Upadhye, Advocate for Respondent No.1.

CORAM : KISHORE C. SANT, J.

DATE : 17th OCTOBER 2025.

PC :-

1. Heard the learned Advocates for the parties.
2. This application is filed for withdrawal of the amount deposited by the appellant insurance Company in the office of this Court alongwith interest.
3. Considering that the application is filed by the original claimant, following order:

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ORDER

- (i) Civil Application stands partly allowed.
- (ii) The applicants are permitted to withdraw 25% of the amount deposited in the office of this Court alongwith accrued interest on furnishing usual undertaking.
- (iii) 75% of the amount alongwith accrued interest is allowed to be withdrawn on furnishing solvent surety/security to the satisfaction of the learned Registrar (Judicial) of this Court.
- (iv) If the applicants are not in a position to offer surety/security on 75% of the amount, the amount be allowed to be withdrawn in compassionate withdrawal with solvent surety/security.
- (v) With this, civil application stands disposed off.

STAY APPLICATION

- 4. This application is filed for stay to the impugned judgment and award.
- 5. Since the appellant-insurance company has deposited the entire

amount of compensation in the office of this Court as per impugned judgment and award, there shall be stay to the impugned judgment and award till final disposal of the first appeal.

6. With this, civil application stands disposed off.

FIRST APPEAL

7. Heard.

8. Issue notice to the Respondents, returnable on 9th January 2026.

9. Call for record and proceedings.

10. Learned Advocate Mr. Lavte waives service of notice for Respondents-Claimants.

11. Parties are put to notice that if time permits this Court may taken up the appeal for final disposal at the stage of admission on receipt of record and proceedings.

[KISHORE C. SANT, J.]