



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

**CIVIL APPLICATION NO. 11432 OF 2025
IN FAST/19112/2023**

Pandit Tumdu Pawar And Another .. Applicants

Versus

Vikas Vasant Badgujar And Others .. Respondents

Mr. Anudeep D. Sonar, Advocate for the Applicants.
Mr. Abhijit G. Choudhari, Advocate for Respondent No. 2.

**WITH
CIVIL APPLICATION NO. 8117 OF 2023
IN FAST/19112/2023**

The Manager, Cholamandalam General
Insurance Company Limited .. Applicant

Versus

Pandit Tumdu Pawar And Others .. Respondents

Mr. Abhijit G. Choudhari, Advocate for the Applicant.
Mr. Anudeep D. Sonar, Advocate for Respondent Nos. 1 & 2.

**WITH
CIVIL APPLICATION NO. 8118 OF 2023
IN FAST/19112/2023**

The Manager, Cholamandalam General
Insurance Company Limited .. Applicant

Versus

Pandit Tumdu Pawar And Others .. Respondents

Mr. Abhijit G. Choudhari, Advocate for the Applicant.
Mr. Anudeep D. Sonar, Advocate for Respondent Nos. 1 & 2.

CORAM : KISHORE C. SANT, J.
DATE : 14th OCTOBER, 2025.

PER COURT :-

CIVIL APPLICATION NO. 11432 OF 2025 :

1. Heard learned advocates for the parties.
2. This application is for withdrawal of the amount. The applicants are the parents of deceased who died at a young age. The deceased son was Junior Engineer in Panchayat Samiti, Jalgaon. About this position there is no dispute. About quantum there is also no dispute. The main ground involved in the appeal is about involvement of the vehicle in an accident.
3. This Court, prima facie, finds that, the learned Trial Court has recorded a finding about involvement of the vehicle insured by the present appellant in the appeal. Considering that the applicants are the dependents on the deceased, following order :

ORDER

- (I) The civil application is partly allowed.

(II) The applicants are permitted to withdraw 50% of the amount along with accrued interest on giving undertaking. Further 25% of the amount is allowed to be withdrawn along with accrued interest on giving solvent surety/security to the satisfaction of the learned Registrar (Judicial) of this Court.

(III) The amount of fixed deposit be kept in a fixed deposit as directed by the learned Member of the Tribunal and interest be paid as per the directions by the learned Trial Court.

(IV) The civil application stands disposed of.

CIVIL APPLICATION NO. 8117 OF 2023 :

1. Heard the parties.
2. The respondent No. 3 is reported to be dead. The learned advocate for the applicant seeks leave to delete respondent No. 3.
3. Leave granted to delete respondent No. 3 at the risk of the applicant.
4. This application is for condonation of delay of 111 days caused in filing the appeal.

5. For the reasons stated in the application, delay stands condoned. The civil application is allowed. Office to register first appeal.

6. The civil application stands disposed of.

CIVIL APPLICATION NO. 8118 OF 2023 :

1. At the outset, the learned advocate for the applicant seeks leave to delete respondent No. 3 as he is dead.

2. Leave granted to delete respondent No. 3 at the risk of the applicant.

3. Heard.

4. Since the applicant has already deposited entire amount as per the impugned judgment and award, there shall be stay to the execution and operation of the impugned judgment and award under challenge till disposal of the appeal.

5. The civil application stands disposed of.

(KISHORE C. SANT, J.)

PS.B.