



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

**941 CIVIL APPLICATION NO. 7723 OF 2025
IN FAST/11753/2025**

**PUTALA BALU MANE AND ORS
VERSUS
MANAGER RELIANCE GENERAL INSURANCE COMPANY LTD
AND ANR**

**WITH CIVIL APPLICATION NO. 4201 OF 2025 IN
FAST/11753/2025 WITH CIVIL APPLICATION NO. 4202 OF
2025 IN FAST/11753/2025**

...
Advocate for Applicants : Mr. Shashikant Eknath Shekade.
Advocate for Respondent No.1 : Mr. Aniruddha S.
Usmanpurkar.
...

**CORAM : SHAILESH P. BRAHME, J.
DATE : 25.07.2025**

PER COURT :-

1. Heard both parties.
2. Civil Application No.7723 of 2025 is for withdrawal of amount of Rs.34,19,211/- deposited by the insurance company and the statutory deposits.
3. For the reasons stated in the application, it is contended that applicants, who are the dependents are entitled to receive the amount.
4. Learned counsel for the respondent vehemently opposes the application and submissions. He would submit that

offending vehicle is not involved in the accident. The driver of the offending vehicle is prosecuted. The accident occurred on 04.08.2019 and first information report was registered on 12.08.2019. A supplementary statement was recorded on 03.09.2019 in which it was transpired that accident occurred due to the dash given by the offending vehicle. The CCTV footage upon which reliance is placed was not seized by the police and it was not part of charge sheet. It is further contended that Mr. Vijay Bhise who is the driver of the offending vehicle has clearly disowned the involvement of his motor vehicle.

5. I have considered rival submissions of the parties. The factum of death involved in an accident cannot be disputed. The submissions of learned counsel for the insurance company can be dealt with during the course of final hearing of the appeal. I find it fit to permit the applicants to receive 50% of the amount with accrued interest on furnishing undertaking.

6. Civil application for withdrawal of amount is partly allowed permitting the applicants to receive 50% of the amount with accrued interest on furnishing undertaking. Balance amount shall be invested in Nationalized Bank.

First Appeal

7. Admit.

8. Learned counsel Mr. Shekade waives service of notice for respondents/claimants.

9. Call for Record and Proceedings from the concerned Court.

Civil Application for Delay

10. For the reasons stated in the application, delay of 56 days stands condoned. Civil application for delay is allowed.

Civil Application for Stay

11. As the entire amount under award is deposited, ad-interim relief granted earlier shall stand confirmed.

12. Civil Application for stay is disposed of.

(SHAILESH P. BRAHME, J.)

...

vmk/-