



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

957 CIVIL APPLICATION NO. 7979 OF 2025
IN FAST/13901/2025

SATYAVATI RAMESH MAMDAPURE AND OTHER
VERSUS
THE NEW INDIA ASSURANCE COMPANY LTD AND ORS

...
Advocate for the Applicants : Mr.N.D.Kendre h/f. Mr. Uddhav Laxmanrao Momale
Advocate for Respondent No.1 : Mr.S.S.Rathi

...
CORAM : SHAILESH P BRAHME, J.
DATE : 31st JULY 2025

PER COURT :

- . Applicant/claimant is anxious to get amount of (Rs.6,60,725 +Rs. 25000) in aggregate Rs.6,85,725/- deposited by the insurance company in this Court.
2. For the reasons stated in the application, applicant/injured is claiming the amount.
3. Learned counsel for the insurance company would submit that insurance company can not be held liable because the offending truck was being driven rashly, negligently and it is the sole liability of the driver and owner of the truck. It is contended that in distinct claim petitions arising out of the same accident, insurance company has been exonerated.
4. Both sides have raised contentious issues which are required to

be addressed after full-fledged hearing. It is not possible to hear matter finally at this stage.

5. For the reasons stated in the application and considering impugned judgment, it is desirable to permit the applicant to receive 50% of the amount.

6. Civil application is partly allowed by permitting the applicant to receive 50% of the amount with accrued interest deposited in this Court on furnishing undertaking to the satisfaction of Registrar (Judicial) of this Court.

7. Balance amount shall be invested in nationalized bank.

[SHAILESH P BRAHME, J.]

vsj..