



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

65 CIVIL APPLICATION NO. 2551 OF 2025
IN FAST/22216/2024

Samadhan Madhukar Taksale (potdar)

VERSUS

The Branch Manager, United India Insurance Co. Ltd. Dist.
Osmanabad

...

Advocate for Applicant : Mr. Kore Ganesh J
Mr. A.B Gatne advocate for respondent.

...

WITH

CIVIL APPLICATION NO. 9319 OF 2024 IN FAST/22216/2024

CORAM : S. G. CHAPALGAONKAR, J.

Dated : March 07, 2025

ORDER :-

CA for withdrawal of the amount :-

1. Heard learned counsel appearing for respective parties.
2. The applicant is injured in MACP No.53 of 2018. The Tribunal, on evaluation of the evidence, allowed the claim petition and directed the respondents to pay compensation to the claimants.
3. The insurer filed present appeal assailing the award of the Tribunal on the ground that the insured vehicle has been falsely implicated.
4. It is not in dispute that in sister claim arising out of the same accident, similar defence was raised by the insurer and even the appeal is filed against the award. In that appeal, this

court has permitted withdrawal of the compensation to the claimants on certain conditions. Therefore, same course has to be followed in the present matter.

5. In the result, the application is **partly** allowed. The claimant is permitted to withdraw the amount of Rs.9.00 Lakh on furnishing undertaking to the satisfaction of the Registrar (Judicial) of this Court that in case adverse order is passed in appeal, he shall re-deposit the amount. CA stands **disposed of**.

Stay application :-

6. Mr. Gatne, learned counsel submits that, entire amount as per the award is deposited . His statement is supported by office endorsement. Hence, civil application is allowed in terms of prayer clause B and disposed of.

(S. G. CHAPALGAONKAR, J.)

...

aaa-