



IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

943 CIVIL APPLICATION NO. 1310 OF 2025
IN FAST/24672/2023

Lalita Arun Yeole & others

....Applicants

VERSUS

Mukesh Ram Nevaj & others

.....Respondents

.....

Mr. A. S. Sawant, Advocate for Applicants,

Mr. S. S. Rathi, Advocate for Respondent No. 3.

CORAM : R. M. JOSHI, J.

DATE : 7th FEBRUARY, 2025.

PER COURT :

1. This application is for withdrawal of amount of compensation deposited by appellant/insurance company.

2. It is the contention of learned counsel for applicant/original claimants that the insurer has admitted claim to the extent of Rs. 65, 28,692/- and challenge is to the award passed by the Tribunal for granting compensation more than Rs. 65,28,692/-. Thus, it is his contention that there is no impediment in permitting the claimants to withdraw the said amount along with interest at the rate of 9% per annum.

3. Learned counsel for insurer/appellant opposed the application on the ground that interest granted by the Tribunal at the rate of 9% per annum is on higher side.

4. Since there is no dispute about the fact that claim upto Rs. 65,28,692/- is admitted by the insurer, there cannot be any impediment in permitting claimants to withdraw said amount. As far as interest at the rate of 9% per annum is concerned, at this stage, prima facie, this court does not find the same to be excessive. Hence, allowed to withdraw amount of Rs. 68,28,692/- along with interest at the rate of 9% annum with accrued interest thereon on fixed deposit.

5. Application stands disposed of.

(R. M. JOSHI)
Judge

dyb

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

943 CIVIL APPLICATION NO. 10025 OF 2023
IN FAST/24672/2023

United India Insurance Co. Ltd.Applicant

VERSUS

Lalita Arun Yeole & othersRespondents

.....

Mr. S. S. Rathi, Advocate for the applicant.

Mr. A. S. Swant, Advocate for Respondent Nos. 1 to 3.

CORAM : R. M. JOSHI, J.

DATE : 7th FEBRUARY, 2025.

PER COURT :

1. This application is filed for condonation of delay of 33 days occurred in filing appeal.
2. Learned counsel for respondents records no objection for condonation of delay.
3. Hence, application is allowed. Delay stands condoned.

(R. M. JOSHI)
Judge

dyb

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

943 FIRST APPEAL ST. NO. 24672/2023

United India Insurance Co. Ltd.Appellant

VERSUS

Lalita Arun Yeole & othersRespondents

.....

Mr. S. S. Rathi, Advocate for the appellant.

Mr. A. S. Swant, Advocate for Respondent Nos. 1 to 3.

CORAM : R. M. JOSHI, J.

DATE : 7th FEBRUARY, 2025.

PER COURT :

1. Call R & P.
2. Stand over to 09.04.2025.

(R. M. JOSHI)
Judge

dyb