



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

**CIVIL APPLICATION NO. 8987 OF 2025
IN
FIRST APPEAL NO. 910 OF 2025**

Sujata Ravindra Aher and others .. Applicants

Versus

Shriram General Insurance Co.

Ltd. and others .. Respondents

**AND
CIVIL APPLICATION NO. 8988 OF 2025
IN
FIRST APPEAL NO. 911 OF 2025**

Yash Ravindra Aher and others .. Applicants

Versus

Shriram General Insurance Co.

Ltd. and others .. Respondents

Shri K. N. Shermale, Advocate for the Applicants in both matters.

Shri Swapnil S. Rathi, Advocate for the Respondent No. 1 in both matters.

CORAM : SHAILESH P. BRAHME, J.

DATE : 21ST AUGUST, 2025.

FINAL ORDER :

. Heard both sides.

2. The applicants/claimants are anxious to receive Rs. 18,70,226/- besides statutory deposit of Rs. 25,000/- and Rs. 12,09,260/- with statutory deposit of Rs. 25,000/- deposited by the

respondent No. 1/insurance company.

3. In the self same accident Ravindra lost his life and his son Yash was injured that gave rise to two distinct claim petitions for compensation.

4. Learned counsel Mr. Shermale appearing for the applicants submits that Yash is required to go through constant medication and he is in need of financial assistance. It is submitted that the theory of false involvement of vehicle is not supported by any document. It is further submitted that no complaint as such was lodged by the insurance company for the alleged false involvement of the vehicle. On the preponderance of probabilities and considering law laid down, the delay in lodging FIR would not be an impediment for grant of compensation. Applicants are entitled to receive the amount.

5. Mr. Rathi, learned counsel for the respondent No. 1 – insurance company vehemently opposes applications and the submissions. He would submit that one of the claimants Sujata lodged report on 10.08.2019. After seven days registration number of the offending vehicle was furnished by way of supplementary statement. It is very suspicious. The relative who provided registration number of the offending vehicle has not been examined before the Tribunal. It is further informed that the present case is even reported to Special Investigation Team, which is inquiring into false claim in pursuance of orders

passed in P.I.L. by the Bombay High Court.

6. I have considered rival submissions of the parties. I have gone through the findings recorded by the Tribunal. Police papers were placed on record which *prima facie* disclose that there is mention of offending vehicle. Though independent complaint is lodged by the insurance company, there is nothing on record to show as to its status. After considering rival submissions of the parties, I find it fit to permit the applicants to receive 60% of the amount deposited with accrued interest in both the cases.

7. The civil applications are partly allowed. The applicants are permitted to receive 60% of the amount deposited with accrued interest on furnishing undertaking to the satisfaction of the Registrar (Judicial) of this Court. Balance amount shall be invested in any nationalized bank. The civil applications are disposed of.

[SHAILESH P. BRAHME J.]

bsb/Aug. 25