



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

**932 CIVIL APPLICATION NO. 10602 OF 2025
IN FAST/23770/2024**

MANISHA KAMLESH PARDESHI

VERSUS

THE LEGAL MANAGER UNITED INDIA INSURANCE COMPANY LIMITED

WITH

**CIVIL APPLICATION NO. 9447 OF 2024
IN FAST/23770/2024**

THE LEGAL MANAGER, UNITED INDIA INSURANCE CO LTD

VERSUS

MANISHA KAMLESH PARDESHI AND OTHERS

WITH

**CIVIL APPLICATION NO. 9448 OF 2024
IN FAST/23770/2024**

Mr. Mukul Kulkarni, Advocate for the applicant.

Mr. M.R. Deshmukh, Advocate for respondent-insurance company.

Mr. Mehul P. Kulkarni h/f. Mr. Amol S. Sawant, Advocate for the respondent No.7.

CORAM : KISHORE C. SANT, J.

DATE : 08.10.2025

PC :-

CIVIL APPLICATION FOR WITHDRAWAL OF AMOUNT

01. Heard learned Advocates for the parties. This application is filed for withdrawal of amount.

02. This application is vehemently opposed by learned Advocate Mr. Deshmukh. He submits that involvement of the vehicle itself is under question. The accident took place on 26.09.2015. The accident was reported on 15.10.2025. Interestingly, the accident is reported by owner

and driver themselves by going to police station. This creates doubt. Certificate of RTO showing damage etc. is issued in the month of December, 2015. That adds to the suspicion about involvement. The income of the deceased is also taken on higher side. The income is mainly from agricultural land, which continued to the family. At the most managerial loss and supervisory loss could have been taken into consideration. He submits from the evidence of the Inspector that it is clearly seen that the information was not given immediately. He thus opposes this application and prays that the appeal itself be taken up for final disposal.

03. Considering the above, following order :-

- i) The applicants are permitted to withdraw 30% of the deposited amount with accrued interest to the extent of their share, who are major except minors, on giving usual undertaking.
- ii) Further 20% amount along with accrued interest to the extent of major applicants is permitted to be withdrawn on furnishing solvent surety/security to the satisfaction of learned Registrar (Judicial) of this Court.
- iii) Remaining amount shall be kept in fixed deposit of any nationalized bank to be renewed from time to time till disposal of the appeal.
- iv) This Civil Application is accordingly allowed and is disposed off.

CIVIL APPLICATION FOR STAY

01. Since the amount is already deposited by the appellants,

there shall be stay to the impugned judgment and award till disposal of the appeal.

02. This Civil Application is accordingly allowed and is disposed off.

CIVIL APPLICATION FOR DELAY

01. This application is filed for condonation of delay of 29 days caused in filing appeal. For the reasons stated in the application, the delay is condoned. The Civil Application for delay stands allowed.

FIRST APPEAL

01. The learned Advocate for the appellant to file on record copies of depositions and any other documents relied by him. The respondents-original claimants are also at liberty to produce on record relevant document on which they are relying.

02. Since the parties are ready to argue the appeal at the stage of admission, place the appeal on Board dated 19.11.2025.

[KISHORE C. SANT, J.]