



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 12298 OF 2018
IN FA/3106/2018

Shivaji Baburao Shinde and Ors.

.....Applicants

VERSUS

United India Insurance Co. Ltd.,
Thr. its Administrative Officer, AurangabadRespondent

.....

Mr. Deshmukh Swapnil A., Advocate for Applicants
Mr. S. S. Rathi, Advocate for Respondent No.1

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CORAM : NEERAJ P. DHOTE, J.

DATE : 07.05.2025

PER COURT :

[I] Order in Civil Application :

1. This is an Application by the Original Claimants for withdrawal of the amount deposited by the Insurance Company in the Appeal.

2. The learned Advocate for the Applicants - Claimants submits that, the Appeal is being adjourned from one and the other reason, therefore, his Application may be considered. He submits that, the Applicants - Claimants are ready to furnish Bank Guarantee against withdrawal of 50% amount.

3. The learned Advocate for the Insurance Company opposes the Application. He submits that, if at all this Court considers the Application, the Bank Guarantee of Nationalized Bank may be ordered.

4. This is the death claim and the Appeal is preferred by the Insurance Company on the ground that, the insurance policy of the offending vehicle was fake. The Applicants – Claimants are ready to furnish the Bank Guarantee against withdrawal of 50% amount. Hence, the Applicants – Claimants are permitted to withdraw 50% of the amount deposited by the Insurance Company on furnishing Bank Guarantee of any Nationalized Bank with interest accrued thereon to the satisfaction of the Registrar [Judicial] of this Court.

5. Civil Application stands disposed off accordingly.

[II] Order in First Appeal :

1. List the Appeal after eight [8] weeks.

[NEERAJ P. DHOTE, J.]

Sameer/May-2025