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926-CA-11143-2025

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

926 CIVIL APPLICATION NO. 11143 OF 2025
IN FA/232/2025

Nagnath Maruti Gaikwad and Anr.

VERSUS

Mangesh Vasantrao Shinde and anr.

WITH

CIVIL APPLICATION NO. 1304 OF 2025
IN FA/232/2025

...

Ms. Sayali Tekale, Advocate for Applicant.

Mr. Maroti M. Ambhore, Advocate for Respondent No.2.

CORAM : KISHORE C. SANT, J.

DATE : 7th OCTOBER 2025.

PC :-

WITHDRAWAL

1. Heard the learned Advocates for the parties.
2. This application is filed by original claimants for withdrawal of the amount deposited in the office of this Court by the appellant-Insurance Company. The applicants are the claimants.
3. Considering this position, following order:-

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ORDER

- (i) Application is partly allowed.
- (ii) The applicants are permitted to withdraw 50% of the amount deposited in the office of this Court alongwith accrued interest on furnishing usual undertaking.
- (iii) 25% of the amount alongwith accrued interest is allowed to be withdrawn on furnishing solvent surety/security to the satisfaction of the learned Registrar (Judicial) of this Court.
- (iv) The remaining amount be kept in any nationalized bank till final disposal of the first appeal.
- (v) With this, civil application stands disposed off.

STAY APPLICATION

- 4. In spite of service, none appears for the respondent No.3.
- 5. Since the appellant Insurance Company has deposited the entire amount of compensation in the office of this Court as per impugned judgment and award, there shall be stay to the impugned judgment and award till final disposal of the first appeal.

6. With this, civil application stands disposed off.

FIRST APPEAL

7. Heard.

8. Issue notice to the Respondents, returnable on 16th December 2025.

9. Learned Advocate Ms. Takale waives service of notice for respondent Nos. 1 and 2.

10. Call for record and proceedings.

[KISHORE C. SANT, J.]