



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

**CIVIL APPLICATION NO. 11038 OF 2025
IN FAST/17251/2025**

Sarika Sunil Gaikwad

.. Applicant

Versus

Fleet Guard Dilters Pvt. Ltd.

.. Respondents

Mr. P. D. Dadpe, Advocate h/f Ms. Sayali Tekale, Advocate for the Applicant.

Mr. Shantanu A. Deshpande, Advocate for Respondent No. 2.

WITH

**CIVIL APPLICATION NO. 6483 OF 2025
IN FAST/17251/2025**

SBI General Insurance Co. Ltd.

Through Branch Manager

.. Applicant

Versus

Sarika Sunil Gaikwad and others

.. Respondents

Mr. Shantanu A. Deshpande, Advocate for the Applicant.

Mr. P. D. Dadpe, Advocate h/f Ms. Sayali Tekale, Advocate for Respondent No. 1.

CORAM : KISHORE C. SANT, J.

DATE : 06th OCTOBER, 2025.

PER COURT :-

CIVIL APPLICATION NO. 11038 OF 2025 :

1. At the outset, learned advocate for the applicants seeks

leave to correct first name of applicant No. 2 and middle name of applicant No. 4.

2. Leave granted. Amendment be carried out forthwith.

3. This application is filed seeking withdrawal of the amount deposited in the office of this Court by the appellant – insurance company. The applicant No. 1 is the wife of deceased. The applicant Nos. 2 and 3 are minor children of deceased and applicant No. 1. The applicant No. 4 is the mother of deceased.

4. The application is vehemently opposed by the learned advocate for the insurance company.

5. Considering that the amount is of compensation in a death claim, this Court is inclined to pass following order :

ORDER

(I) The civil application is partly allowed.

(II) The applicant Nos. 1 and 4 are permitted to withdraw 50% of the amount of compensation alongwith accrued interest on furnishing usual undertaking. Further 25% of the amount is allowed to be withdrawn alongwith accrued interest of their share

on furnishing solvent surety/security to the satisfaction of the learned Registrar (Judicial) of this Court.

(III) 75% of the amount of the share of applicant Nos. 2 and 3 be kept in a fixed deposit in any Nationalized Bank till they attained majority. They shall be at liberty to apply for withdrawal after they attained majority. Till then, the amount of interest be credited to the account of applicant No. 1 every quarter.

(IV) With this, the civil application stands disposed of.

CIVIL APPLICATION NO. 6483 OF 2025 :

1. Since the amount of compensation as per the impugned judgment and award is already deposited in the office of this Court, there shall be stay to the impugned judgment and award till disposal of the appeal.

2. The civil application stands disposed of.

(KISHORE C. SANT, J.)

P.S.B.