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927-CA-11144-2025

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

927 CIVIL APPLICATION NO. 11144 OF 2025
IN FA/1196/2024

Fareen Ramzan Makandar And Ors.

VERSUS

Maharashtra State Corporation Vahatuk Bhavan Mumbai

...

Ms. Sayali Tekale, Advocate for Applicants.

Mr. Anand D. Wange, Advocate for Respondent.

CORAM : KISHORE C. SANT, J.

DATE : 7th OCTOBER 2025.

PC :-

WITHDRAWAL

1. Heard the learned Advocates for the parties.
2. This application is filed for withdrawal of the amount deposited in the office of this Court by the appellant. The applicant is the claimant in original motor accident claim petition.
3. Learned Advocate Mr. Wange vehemently opposed the application. He submits that the appeal is filed on substantive grounds. The trial Court, while granting the compensation, has calculated the future

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prospects at 50% which ought to have been 40%. Secondly, the Court has awarded interest at 9% which is quite on higher side.

4. This Court finds that the question is only about quantum. At any rate, there would be no difficulty if the applicants are allowed to withdraw 75% of the amount. Thereafter, the appeal itself can be taken up for final disposal. Both the parties agree that the appeal can be taken up for final disposal after four weeks.

5. In the meantime, following order:-

ORDER

(i) Application is partly allowed.

(ii) The applicants are permitted to withdraw 75% of the amount deposited in the office of this Court alongwith accrued interest on furnishing usual undertaking.

(iii) With this, civil application stands disposed off.

FIRST APPEAL

6. Stand over to 18th November 2025.

[KISHORE C. SANT, J.]