



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

**916 CIVIL APPLICATION NO. 1997 OF 2025
IN FA/1458/2022**

**SANGITA SAVAKAR JARE (DIED) THR. LRS. VIKAS SAVAKAR
JARE AND ORS**

VERSUS

NATIONAL INSURANCE CO. LTD AND ORS

....

Mr. D. R. Markad, Advocate for the Applicants

Mr. V. N. Upadhye, Advocate for Respondent No.1

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CORAM : NEERAJ P. DHOTE, J.

DATE : 03.04.2025

PER COURT :-

1. This is an Application filed by Respondent Nos. 2 and 3 for withdrawal of amount deposited by the Appellant-Insurance Company. The alternate prayer in the Application is to fix the Appeal for final hearing.

2. Heard both sides.

3. The learned Advocates for the Applicant and the Insurance Company are present.

4. The entire amount under the Award is deposited by the Insurance Company in this Court. This Court vide order dated 18.08.2023 in C.A. No.5780 of 2023 permitted Respondent Nos. 2

and 3 i.e., Claimants to withdraw 25% of the compensation deposited by the Insurance Company.

5. Record and Proceedings are received.

6. Though Respondent Nos. 4 to 6 are served through Paper Publication, the said notice was not for final hearing. Considering that the matter arises out of the Motor Accident Claim and the learned Advocates for the Insurance Company and the Claimants agree that the Appeal can be heard finally, it is necessary to serve Respondent Nos. 4 to 6 with the notice of final hearing.

7. Issue notice for final hearing to Respondent Nos.4 to 6. The Appellants are permitted to serve Respondent Nos.4 to 6 by regular service as well as through the Paper Publication for the final hearing of the Appeal. Paper Publication be done in the newspaper having wide circulation in the area where Respondent Nos.4 to 6 are residing or lastly resided. The Paper Publication be made within a period of two (02) weeks.

8. The Application is allowed and disposed off.

9. The matter be fixed on 27.06.2025.

[NEERAJ P DHOTE, J.]