



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

**54 CIVIL APPLICATION NO. 13584 OF 2025
IN FA/602/2025**

Arjun So Malhari Taware And Anr.

VERSUS

United India Insurance Company Ltd And Anr.

...

Mr. Badakh Vishal Sopanrao, Advocate for Applicant

Mr. Atul B. Gatne, Advocate for Respondent No.1

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CORAM : SANJAY A. DESHMUKH, J.

DATE : 22.12.2025

PER COURT :-

1. This is an application seeking permission to withdraw the amount deposited in this Court pursuant to the award.

2. Heard.

3. Learned Advocate for the applicant submits that there is evidence of an eye-witness of the accident and involvement of the offending car. It is held by the learned Tribunal that the offending vehicle was involved in the accident. He therefore lastly prayed to allow the application.

4. Learned advocate for respondent strongly opposed the application and submitted that there is delay of 22 days caused in lodging the report and thereafter the statement of the eye-witness

was recorded after 30 days which is doubtful, establishing that no such accident was took place. He lastly prayed to reject the application.

5. On perusal of the impugned judgment and application, it appears that the learned Tribunal, Shrirampur District Ahilyanagar held that the offending vehicle was involved in the accident. Considering the reasons stated in the application and the arguments of both the sides, it would be proper to partly allow the application. Hence, the following order:

::ORDER::

- a. The application is partly allowed.
- b. The applicants are permitted to withdraw 25% of the amount with accrued interest thereon deposited in this Court on furnishing usual undertaking. Further 25% of the amount with accrued interest thereon is allowed to be withdrawn on furnishing surety.
- c. The said amount be transmitted to the Motor Accident Claims Tribunal, Shrirampur District Ahilyanagar, which shall thereafter disburse that amount to the applicants / claimants accordingly.

- d. The applicants shall submit undertaking before the learned Tribunal and the Tribunal shall forward it to this Court.
- e. If the 7/12 Extract, House Assessment Extract or Property Card is submitted by the applicants/claimants, learned MACT Shrirampur, District Ahilyanagar is directed to accept this as surety without insisting on its formal valuation from any authority.
- f. The application is disposed of.

[SANJAY A. DESHMUKH, J.]

HRJadhav