



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

941 CIVIL APPLICATION NO. 12611 OF 2025
IN FA/2601/2025

Usha Satish Alias Satyawan Gaikwad

VERSUS

The Oriental Insurance Company Through Its Branch Manager

...

Advocate for Applicant : Mr. Amol S. Gandhi

Advocate for Respondents : Mr. Dhananjay Deshpande

.....

AND

CIVIL APPLICATION NO. 10508 OF 2025
IN/WITH FA/2601/2025

The Oriental Insurance Company

VERSUS

Usha Satish Satyawan Gaikwad And Ors

...

Advocate for Applicant : Mr. Dhananjay Deshpande

Advocate for Respondents : Mr. Amol S. Gandhi

CORAM : SANJAY A. DESHMUKH, J.

DATED : 9th DECEMBER 2025

PER COURT :-

1. The civil application No. 12611 of 2025 is filed seeking withdrawal of the amount. Heard learned advocates for both the sides. Learned advocate for the respondent strongly opposed the application and submitted that the insurance company is not liable to pay the compensation.

2. On perusal of the impugned judgment and award alongwith the reasons stated in the application, this court is of the view that the

application deserves to be partly allowed in the interest of justice. The application is thus partly allowed. The applicants are permitted to withdraw 50% amount out of the amount deposited, with accrued interest thereon. Out of the permitted amount, 50% amount be withdrawn on furnishing usual undertaking to the satisfaction of Registrar (Judicial) of this Court and remaining 50% on furnishing solvent surety. The Registrar (Judicial) of this court is directed to accept the 7x12 extract or assessment extract of village Panchayat or property card, however, shall not insist for its valuation report. The aforesaid amount be disbursed proportionately, as per the award.

3. In so far as the civil application No.10508 of 2025 is concerned, learned advocate for the applicant therein submits that entire amount under award has been deposited in this Court. In view of the same, civil application is allowed in terms of prayer clauses "B" and "C" and disposed of.

4. In first appeal, call for record and proceedings. Stand over to 30.01.2026.

(SANJAY A. DESHMUKH, J.)

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