



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

969 CIVIL APPLICATION NO. 402 OF 2025
IN FA/1095/2024

SANDIP KISAN KURHADE AND ORS
VERSUS
NARHARI GANGARAM AAROTE AND ANR

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Advocate for the Applicants : Mr. Shaikh Sohail Yusuf
Advocate for Respondent No.2 : Mr. Swapnil S. Patil h/f. Mr. Rohit H Dahat

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CORAM : SHAILESH P. BRAHME, J.
DATE : 19.08.2025

PER COURT :

. Heard both sides.

2. Present application is for withdrawal of amount deposited by the insurance company in this Court to the extent of Rs.4,33,785/- It's a death claim and 14 years boy succumbed in the accident in question.

3. Learned counsel for the respondent/Insurance company would submit that insurance company deposited Rs.7,13,578/- before M.A.C.T, Tq. Shrirampur, Dist. Ahmednagar. My attention is adverted to judgment dated 17.01.2025 passed by the co-ordinate bench in First Appeal No.1211 of 2024. It is submitted that in that case also 14 years girl died in accident and compensation of Rs.5,30,000/- was directed to be disbursed. It is further submitted that respondent/company is challenging the quantum.

4. I have considered rival submissions of the parties. The respondent/insurance company has deposited Rs.7,13,578/- before the tribunal which is yet to be disbursed. In view of the judgment dated 17.01.2025 which is pressed into service, I find it fit to permit the applicants to receive Rs.6,00,000/- from the amount deposited before the Tribunal.

5. Civil application is partly allowed and applicants are permitted to receive Rs.6,00,000/-which is deposited by the insurance company before M.A.C.T, Tq.Shrirampur, Dist.Ahmednagar on furnishing undertaking to the satisfaction of the tribunal.

6. The amount deposited in this Court by the insurance company shall be invested in nationalized bank.

7. After disbursing the amount to the applicants, the tribunal is directed to transmit the balance amount with accrued interest to this Court which shall also be invested in nationalized bank.

[SHAILESH P BRAHME, J.]

vsj..