



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

**CIVIL APPLICATION NO. 3667 OF 2024
IN
FIRST APPEAL NO. 146 OF 2024**

Sanjyoti Sanjay Adhane

.. Applicant

Versus

United India Insurance Co. Ltd.
and others

.. Respondents

Shri Ramesh R. Imale, Advocate for the Applicant.

Shri Swapnil S. Rathi, Advocate for the Respondent No. 1..

**CORAM : SHAILESH P. BRAHME, J.
DATE : 24TH JUNE, 2025.**

ORDER :

. Heard learned counsel Mr. Imale for the applicant and Mr. Swamil Rathi, learned counsel for the respondent No. 1.

2. This application is for withdrawal of the amount deposited by the respondent No. 1/Insurance Company. By previous order respondent No. 1/Insurance company was directed to deposit 75% of the amount awarded by the Tribunal. Accordingly the amount was deposited.

3. Learned counsel for the applicant submits that for the reasons stated in the civil application his client did not receive any amount and entitled to receive the amount deposited by the

respondent/insurance company. My attention is adverted to the injury sustained by the claimant in the accident.

4. Mr. Swapnil Rathi would oppose the submissions. He would submit that quantum is seriously disputed. My attention is adverted to the computation of the quantum by referring to para Nos. 40 to 45 of the impugned judgment. It is contended that applicant/claimant is a salaried person and despite accident there is no any loss to the earning capacity. The salary has been enhanced.

5. Considering rival submissions of the parties, I find that the applicant/claimant is still rendering services and the disability has not affected her. The computation of the compensation towards loss of future prospectus is vulnerable, however, at this juncture it cannot be said that she is not entitled to receive any amount deposited.

6. It is not possible to decide the first appeal at the admission stage, though it was expressed by the earlier Bench. Interest of the justice would be subserved by permitting the applicant to receive Rs. 10,00,000/- (Rs. Ten Lakhs only) from the amount deposited in this Court.

7. For the reasons stated above, the civil application is partly allowed. The applicant shall be disbursed with amount of Rs. 10,00,000/- (Rs. Ten Lakhs only) on furnishing solvent surety or

security. Balance amount shall be deposited in the fixed deposit receipt of any nationalized bank. The civil application is disposed of.

[SHAILESH P. BRAHME J.]

bsb/June 25