



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

959 CIVIL APPLICATION NO. 6162 OF 2025

IN FAST/21032/2024

GOKUL AASARAM PATIL AND ANR

VERSUS

**THE BRANCH MANAGER CHOLAMANDALAM MS GENERAL
INSURANCE CO LTD AND ORS**

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Advocate for Applicants : Mr. Amol Sudam Mali.

Advocate for Respondent No.1 : Mr. A. S. Usmanpurkar.

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WITH CIVIL APPLICATION NO. 8153 OF 2024

IN FAST/21032/2024

WITH CIVIL APPLICATION NO. 8154 OF 2024

IN FAST/21032/2024

**THE BRANCH MANAGER CHOLAMANDALAM MS GENERAL
INSURANCE CO LTD**

VERSUS

GOKUL AASARAM PATIL AND ORS

...

Advocate for Applicant/s : Mr. A. S. Usmanpurkar.

Advocate for respective Respondents : Mr. Amol Sudam Mali.

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CORAM : SHAILESH P. BRAHME, J.

DATE : 19.06.2025

PER COURT :-

1. Applicants who are parents of the deceased are seeking disbursement of the amount deposited by the respondent/ insurance company. Their son who died on 06.05.2020 had suffered accident on 25.01.2020. It is contended that they are entitled to receive compensation. Respondent/insurance company has deposited Rs.12,47,879/-.

2. Learned counsel Mr. Usmanpurkar would submit that there is no causa causans of death with the accident. The cause of death of the deceased cannot be co-related to the injuries suffered in accident. He would strongly oppose for disbursement of the amount to the applicants.

3. Factum of accident, injuries sustained by the deceased and hospitalization are apparent on record. At this juncture, it cannot be said that applicants cannot be entitled to any amount of compensation. Applicants are parents and their need cannot be dislodged.

4. Civil application for withdrawal of amount is allowed partly.

5. Applicants are permitted to receive Rs.5,00,000/- on furnishing undertaking to this Court.

6. Balance amount shall be invested in any Nationalized Bank.

Civil Application for Delay

7. I have considered rival submissions of the parties.

8. There is merit in the contention of the applicant and the grounds stated for condonation of delay, it is desirable to condone the delay.

9. Civil application is allowed and delay of 54 days is condoned.

Civil Application for Stay

10. As the applicant/insurance company has deposited entire amount, ad-interim stay granted earlier shall stand confirmed.

First Appeal

11. **Admit.**

12. Learned counsel Mr. Mali waives service of notice for respondent Nos.1 and 2.

13. Call for Record and Proceedings from the concerned Court.

(SHAILESH P. BRAHME, J.)

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vmk/-