

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 11050 OF 2025
IN
FIRST APPEAL NO. 218 OF 2010

Vithal Jagannath Pawar and anrApplicants

IN THE MATTER BETWEEN

United India Insurance Co. Ltd.Appellant

Vs.

Vithal Jagannath Pawar and orsRespondents

Mr. Vikas Mali a/w Mr. Sachin Bhavar Advocate for the Applicants
Mr. Sanjay Krishnan (through VC) for appellant in First Appeal
Mr. Akshay Kulkarni i/b Mr. A. M. Kulkarni for respondent no. 4

CORAM : SHIVKUMAR DIGE, J.

DATE : 13th OCTOBER, 2025.

P.C.

1. Heard learned counsel for the applicants, learned counsel for respondent no. 4 and learned counsel for the appellant in First Appeal.

2. Learned counsel for the applicants submits that respondent no. 4 has deposited the cheques before the Executing Court. He submits that applicants be permitted to withdraw the said cheques

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from the Executing Court.

3. Learned counsel for respondent no. 4 strongly objected for withdrawal of the said cheques as respondent no. 4 is not liable to pay the compensation.

4. I have heard both the learned counsels. The appeal is preferred by the Insurance Company in 2010. Since then, the applicants/claimants have not received any compensation amount. Respondent no. 4 has deposited the cheques before the Executing Court.

5. Considering these facts, the applicants are permitted to withdraw the said cheques and I pass the following order:

ORDER

I. The application is partly allowed.

II. The applicants are permitted to withdraw the cheques deposited by respondent no. 4 before the Executing Court on furnishing undertaking that the applicants shall redeposit the withdrawn amount alongwith accrued interest thereon, if directed by this Court.

6. The application is disposed of.

7. List the appeal on 19th November 2025. Leave to file paper-book.

(SHIVKUMAR DIGE, J.)